

1 **UTAH HEALTH CARE WORKFORCE**
2 **FINANCIAL ASSISTANCE ACT AMENDMENTS**
3 2006 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Jackie Biskupski**
6 Senate Sponsor: Beverly Ann Evans

8 **LONG TITLE**

9 **General Description:**

10 This bill amends the Utah Health Care Workforce Financial Assistance Program to add
11 radiology technicians and medical laboratory technicians to the list of health care
12 professionals who may participate in the program.

13 **Highlighted Provisions:**

14 This bill:
15 ▶ amends the definition of health care professional;
16 ▶ amends the duties of the Department of Health with regard to the Utah Health Care
17 Workforce Financial Assistance Program; and
18 ▶ amends the membership of the Utah Health Care Workforce Financial Assistance
19 Program Advisory Committee.

20 **Monies Appropriated in this Bill:**

21 This bill appropriates:
22 ▶ as an ongoing appropriation subject to future budget constraints, \$300,000 from the
23 General Fund for fiscal year 2006-07 to the Utah Health Care Workforce Financial
24 Assistance Program in the Department of Health.

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**



28 AMENDS:

29 **26-46-101**, as enacted by Chapter 307, Laws of Utah 2002

30 **26-46-102**, as enacted by Chapter 307, Laws of Utah 2002

31 **26-46-103**, as enacted by Chapter 307, Laws of Utah 2002



33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **26-46-101** is amended to read:

35 **26-46-101. Definitions.**

36 (1) "Health care professional" means [~~a physician, physician assistant, nurse, dentist,~~
37 ~~mental health therapist, or~~];

38 (a) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or
39 Chapter 68, Utah Osteopathic Medical Practices Act;

40 (b) a physician assistant licensed under Title 58, Chapter 70a, Physician Assistant Act;

41 (c) a nurse licensed under Title 58, Chapter 31b, Nurse Practice Act;

42 (d) a dentist licensed under Title 58, Chapter 69, Dentist and Dental Hygienist Practice
43 Act;

44 (e) a mental health professional licensed under Title 58, Chapter 60, Mental Health
45 Professional Practice Act, or Chapter 61, Psychologist Licensing Act;

46 (f) a radiology technologist or radiology practical technician licensed under Title 58,
47 Chapter 54, Radiology Technologist and Radiology Practical Technician Licensing Act;

48 (g) a medical laboratory technician as defined by the department by administrative rule;
49 or

50 (h) other health care professional designated by the department by rule.

51 (2) "Underserved area" means an area designated by the department as underserved by
52 health care professionals, based upon the results of a needs assessment developed by the
53 department in consultation with the Utah Health Care Workforce Financial Assistance Program
54 Advisory Committee created under Section 26-46-103.

55 Section 2. Section **26-46-102** is amended to read:

56 **26-46-102. Creation of program -- Duties of department.**

57 (1) There is created within the department the Utah Health Care Workforce Financial
58 Assistance Program to provide professional education scholarships and loan repayment

59 assistance to health care professionals who locate or continue to practice in underserved areas.

60 (2) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
61 department shall make rules governing the administration of the program, including rules that
62 address:

63 (a) application procedures;

64 (b) eligibility criteria;

65 (c) selection criteria;

66 (d) service conditions, which at a minimum shall include professional service in an
67 underserved area for a minimum period of time by any person receiving a scholarship or loan
68 repayment assistance;

69 (e) penalties for failure to comply with service conditions or other terms of a
70 scholarship or loan repayment contract;

71 (f) criteria for modifying or waiving service conditions or penalties in case of extreme
72 hardship or other good cause; and

73 (g) administration of contracts entered into before the effective date of this act,
74 between the department and scholarship or loan repayment recipients under Title 26, Chapter 9,
75 Part 2, Physicians and Physician Assistants Grant and Scholarship Program, Title 26, Chapter
76 9d, Nurse Education Financial Assistance, or Title 26, Chapter 9e, Special Population Health
77 Care Provider Financial Assistance and Retention Act.

78 (3) The department shall seek and consider the recommendations of the Utah Health
79 Care Workforce Financial Assistance Program Advisory Committee created under Section
80 26-46-103 as it develops and modifies rules to administer the program.

81 (4) Funding for the program shall be a line item within the appropriations act, shall be
82 nonlapsing unless designated otherwise, and may be used to cover administrative costs of the
83 program, including reimbursement expenses of the Utah Health Care Workforce Financial
84 Assistance Program Advisory Committee created under Section 26-46-103[-], and publicity for
85 the Utah Health Care Workforce Financial Assistance Program to increase recruitment and
86 outreach to persons in the health care professions.

87 (5) Loan repayments and payments resulting from breach of contract are dedicated
88 credits to the program.

89 (6) The department shall prepare an annual report on the revenues, expenditures, and

90 outcomes of the program.

91 Section 3. Section **26-46-103** is amended to read:

92 **26-46-103. Advisory committee -- Membership -- Compensation -- Duties.**

93 (1) There is created the Utah Health Care Workforce Financial Assistance Program
94 Advisory Committee consisting of the following [++] 13 members appointed by the executive
95 director, seven of whom shall be residents of rural communities:

96 (a) one rural representative of Utah Hospitals and Health Systems, nominated by the
97 association;

98 (b) one rural representative of the Utah Medical Association, nominated by the
99 association;

100 (c) one representative of the Utah Academy of Physician Assistants, nominated by the
101 association;

102 (d) one representative of the Association for Utah Community Health, nominated by
103 the association;

104 (e) one representative of the Utah Dental Association, nominated by the association;

105 (f) one representative of mental health therapists, selected from nominees submitted by
106 mental health therapist professional associations;

107 (g) one representative of the Association of Local Health Officers, nominated by the
108 association;

109 (h) one representative of the low-income advocacy community, nominated by the Utah
110 Human Services Coalition;

111 (i) one nursing program faculty member, nominated by the Statewide Deans and
112 Directors Committee;

113 (j) one administrator of a long-term care facility, nominated by the Utah Health Care
114 Association; [~~and~~]

115 (k) one nursing administrator, nominated by the Utah Nurses Association[-];

116 (l) one radiology technician appointed by the Society of Radiological Technicians; and

117 (m) one laboratory technician appointed by the Utah Hospital Association.

118 (2) An appointment to the committee shall be for a four-year term unless the member is
119 appointed to complete an unexpired term. The executive director may also adjust the length of
120 term at the time of appointment or reappointment so that approximately 1/2 the committee is

121 appointed every two years. The executive director shall annually appoint a committee chair
122 from among the members of the committee.

123 (3) The committee shall meet at the call of the chair, at least three members of the
124 committee, or the executive director, but no less frequently than once each calendar year.

125 (4) A majority of the members of the committee constitutes a quorum. The action of a
126 majority of a quorum constitutes the action of the committee.

127 (5) Members of the committee may not receive compensation for their work associated
128 with the committee, but may receive from the department reimbursement for travel expenses
129 incurred as a member of the committee, as funds are available, at the rates established by the
130 Division of Finance under Section 63A-3-107. Members of the committee may decline
131 reimbursement.

132 (6) The committee shall:

133 (a) make recommendations to the department for the development and modification of
134 rules to administer the Utah Health Care Workforce Financial Assistance Program; and

135 (b) advise the department on the development of a needs assessment tool for
136 identifying underserved areas.

137 (7) As funding permits, the department shall provide staff and other administrative
138 support to the committee.

139 **Section 4. Appropriation.**

140 As an ongoing appropriation subject to future budget constraints, there is appropriated
141 from the General Fund for fiscal year 2006-07, \$300,000 to the Utah Health Care Workforce
142 Financial Assistance Program within the Department of Health.

Legislative Review Note

as of 12-19-05 2:09 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0118

Utah Health Care Workforce Financial Assistance Act
Amendments

23-Jan-06
1:46 PM

State Impact

This bill appropriates \$300,000 ongoing General Fund starting in FY 2007 to the Utah Department of Health.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
General Fund	\$300,000	\$300,000	\$0	\$0
TOTAL	\$300,000	\$300,000	\$0	\$0

Individual and Business Impact

More potential health care professionals will be able to receive loan repayment grants.

Office of the Legislative Fiscal Analyst