

1                   **HEALTH CARE WORKFORCE FINANCIAL**  
2                   **ASSISTANCE PROGRAM AMENDMENTS**

3                                   2009 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Gene Davis**

6                                   House Sponsor: Lynn N. Hemingway

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8                   **LONG TITLE**

9                   **General Description:**

10                   This bill amends the Utah Health Care Workforce Financial Assistance chapter of the  
11                   Utah Health Code to include loan repayment assistance to geriatric professionals who  
12                   practice in an underserved area.

13                   **Highlighted Provisions:**

14                   This bill:

- 15                   ▶ defines the term, "geriatric professional";
- 16                   ▶ provides that the professional education scholarships and loan repayment assistance  
17                   provided by the Health Care Workforce Financial Assistance Program are to be  
18                   provided within the funds appropriated by the Legislature for that purpose;
- 19                   ▶ provides for loan repayment assistance, within funds appropriated by the  
20                   Legislature for this purpose, to geriatric professionals who practice in an  
21                   underserved area;
- 22                   ▶ adds two members to the Utah Health Care Workforce Financial Assistance  
23                   Program Advisory Committee; and
- 24                   ▶ makes technical changes.

25                   **Monies Appropriated in this Bill:**

26                   None

27                   **Other Special Clauses:**

28                   None

29                   **Utah Code Sections Affected:**

30 AMENDS:

31 **26-46-101**, as enacted by Laws of Utah 2002, Chapter 307

32 **26-46-102**, as last amended by Laws of Utah 2008, Chapter 382

33 **26-46-103**, as enacted by Laws of Utah 2002, Chapter 307



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

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

37 **26-46-101. Definitions.**

38 (1) "Geriatric professional" means a person who:

39 (a) is a licensed:

40 (i) health care professional;

41 (ii) social worker;

42 (iii) occupational therapist;

43 (iv) pharmacist;

44 (v) physical therapist; or

45 (vi) psychologist; and

46 (b) is determined by the department to have adequate advanced training in geriatrics to  
47 prepare the person to provide specialized geriatric care within the scope of the person's  
48 profession.

49 [~~(1)~~] (2) "Health care professional" means [a]:

50 (a) a licensed:

51 (i) physician[;];

52 (ii) physician assistant[;];

53 (iii) nurse[;];

54 (iv) dentist[;]; or

55 (v) mental health therapist[;]; or [other]

56 (b) another licensed health care professional designated by the department by rule.

57 [~~(2)~~] (3) "Underserved area" means an area designated by the department as

58 underserved by health care professionals, based upon the results of a needs assessment  
59 developed by the department in consultation with the Utah Health Care Workforce Financial  
60 Assistance Program Advisory Committee created under Section 26-46-103.

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

62 **26-46-102. Creation of program -- Duties of department.**

63 (1) There is created within the department the Utah Health Care Workforce Financial  
64 Assistance Program to provide, within funding appropriated by the Legislature for this  
65 purpose:

66 (a) professional education scholarships and loan repayment assistance to health care  
67 professionals who locate or continue to practice in underserved areas[-]; and

68 (b) loan repayment assistance to geriatric professionals who locate or continue to  
69 practice in underserved areas.

70 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
71 the department shall make rules governing the administration of the program, including rules  
72 that address:

73 (a) application procedures;

74 (b) eligibility criteria;

75 (c) selection criteria;

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

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

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

83 (g) administration of contracts entered into before the effective date of this act,  
84 between the department and scholarship or loan repayment recipients [~~under Title 26, Chapter~~  
85 ~~9, Part 2, Physicians and Physician Assistants Grant and Scholarship Program, Title 26,~~

86 Chapter 9d, Nurse Education Financial Assistance, or Title 26, Chapter 9e, Special Population  
87 Health Care Provider Financial Assistance and Retention Act], as authorized by law.

88 (3) The department shall seek and consider the recommendations of the Utah Health  
89 Care Workforce Financial Assistance Program Advisory Committee created under Section  
90 26-46-103 as it develops and modifies rules to administer the program.

91 (4) Funding for the program:

92 (a) shall be a line item within the appropriations act[;];

93 (b) shall be nonlapsing unless designated otherwise[;] by the Legislature; and

94 (c) may be used to cover administrative costs of the program, including  
95 reimbursement expenses of the Utah Health Care Workforce Financial Assistance Program  
96 Advisory Committee created under Section 26-46-103.

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

99 (6) The department shall prepare an annual report on the revenues, expenditures, and  
100 outcomes of the program.

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

102 **26-46-103. Advisory committee -- Membership -- Compensation -- Duties.**

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

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

108 (b) [~~one~~] two rural [~~representative~~] representatives of the Utah Medical Association,  
109 nominated by the association;

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

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

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

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

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

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

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

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

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

126 (l) one geriatric professional who is:

127 (i) determined by the department to have adequate advanced training in geriatrics to  
128 prepare the person to provide specialized geriatric care within the scope of the person's  
129 profession; and

130 (ii) nominated by a professional association for the profession of which the person is a  
131 member.

132 (2) An appointment to the committee shall be for a four-year term unless the member  
133 is appointed to complete an unexpired term. The executive director may also adjust the length  
134 of term at the time of appointment or reappointment so that approximately 1/2 the committee  
135 is appointed every two years. The executive director shall annually appoint a committee chair  
136 from among the members of the committee.

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

139 (4) A majority of the members of the committee constitutes a quorum. The action of a  
140 majority of a quorum constitutes the action of the committee.

141 (5) Members of the committee may not receive compensation for their work associated

142 with the committee, but may receive from the department reimbursement for travel expenses  
143 incurred as a member of the committee, as funds are available, at the rates established by the  
144 Division of Finance under Section 63A-3-107. Members of the committee may decline  
145 reimbursement.

146 (6) The committee shall:

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

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

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