

**HEALTH CARE WORKFORCE FINANCIAL
ASSISTANCE PROGRAM AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gene Davis

House Sponsor: Lynn N. Hemingway

LONG TITLE

General Description:

This bill amends the Utah Health Care Workforce Financial Assistance chapter of the Utah Health Code to include loan repayment assistance to geriatric professionals.

Highlighted Provisions:

This bill:

- ▶ defines the term, "geriatric professional";
- ▶ provides that the professional education scholarships and loan repayment assistance provided by the Health Care Workforce Financial Assistance Program are to be provided within the funds appropriated by the Legislature for that purpose;
- ▶ provides for loan repayment assistance, within funds appropriated by the Legislature for this purpose, to geriatric professionals;
- ▶ adds two members to the Utah Health Care Workforce Financial Assistance Program Advisory Committee; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 AMENDS:

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

30 **26-46-102**, as last amended by Laws of Utah 2008, Chapter 382

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



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) "Geriatric professional" means a person who:

37 (a) is a licensed:

38 (i) health care professional;

39 (ii) social worker;

40 (iii) occupational therapist;

41 (iv) pharmacist;

42 (v) physical therapist; or

43 (vi) psychologist; and

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

47 [~~(1)~~] (2) "Health care professional" means [a]:

48 (a) a licensed:

49 (i) physician[;];

50 (ii) physician assistant[;];

51 (iii) nurse[;];

52 (iv) dentist[;]; or

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

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

55 [~~(2)~~] (3) "Underserved area" means an area designated by the department as
56 underserved by health care professionals, based upon the results of a needs assessment
57 developed by the department in consultation with the Utah Health Care Workforce Financial
58 Assistance Program Advisory Committee created under Section 26-46-103.

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

60 **26-46-102. Creation of program -- Duties of department.**

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

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

65 (b) loan repayment assistance to geriatric professionals, regardless of whether the
66 geriatric professionals provide services in underserved areas.

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

70 (a) application procedures;

71 (b) eligibility criteria;

72 (c) selection criteria;

73 (d) service conditions, which at a minimum shall include:

74 (i) except for a geriatric professional, professional service in an underserved area for a
75 minimum period of time by any person receiving a scholarship or loan repayment assistance; or

76 (ii) for a geriatric professional, service in geriatrics for a minimum period of time by
77 any person receiving a scholarship or loan repayment assistance;

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

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

82 (g) administration of contracts entered into before the effective date of this act,
83 between the department and scholarship or loan repayment recipients [~~under Title 26, Chapter~~
84 ~~9, Part 2, Physicians and Physician Assistants Grant and Scholarship Program, Title 26,~~
85 ~~Chapter 9d, Nurse Education Financial Assistance, or Title 26, Chapter 9e, Special Population~~
86 ~~Health Care Provider Financial Assistance and Retention Act], as authorized by law.~~

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

90 (4) Funding for the program;
91 (a) shall be a line item within the appropriations act[;];
92 (b) shall be nonlapsing unless designated otherwise[;] by the Legislature; and
93 (c) may be used to cover administrative costs of the program, including reimbursement
94 expenses of the Utah Health Care Workforce Financial Assistance Program Advisory
95 Committee created under Section 26-46-103.

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

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

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

101 **26-46-103. Advisory committee -- Membership -- Compensation -- Duties.**

102 (1) There is created the Utah Health Care Workforce Financial Assistance Program
103 Advisory Committee consisting of the following [~~11~~] 13 members appointed by the executive
104 director, seven of whom shall be residents of rural communities:

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

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

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

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

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

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

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

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

120 (i) one nursing program faculty member, nominated by the Statewide Deans and

121 Directors Committee;

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

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

125 (l) one geriatrician, nominated by the association; and

126 (m) one person, described in Subsection 26-46-101(1)(a)(ii), (iii), (iv), (v), or (vi) who
127 is:

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

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

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

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

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

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

147 (6) The committee shall:

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

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

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

Legislative Review Note
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Office of Legislative Research and General Counsel