

SB0076S01 compared with SB0076

~~{deleted text}~~ shows text that was in SB0076 but was deleted in SB0076S01.

inserted text shows text that was not in SB0076 but was inserted into SB0076S01.

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Senator David P. Hinkins proposes the following substitute bill:

RURAL PHYSICIAN LOAN REPAYMENT PROGRAM

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David P. Hinkins

House Sponsor: _____

LONG TITLE

General Description:

This bill creates the Rural Physician Loan Repayment Program.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates the Rural Physician Loan Repayment Program within the Department of Health;
- ▶ grants rulemaking authority;~~{and}~~
- ▶ creates the Rural Physician Loan Repayment Program Advisory Committee~~{,}~~ and
- ▶ amends the Budgetary Procedures Act to specify that revenues and appropriations to the program are nonlapsing.

Money Appropriated in this Bill:

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None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63J-1-602.1, as last amended by Laws of Utah 2014, Chapter 384

ENACTS:

26-46a-101, Utah Code Annotated 1953

26-46a-102, Utah Code Annotated 1953

26-46a-103, Utah Code Annotated 1953

26-46a-104, Utah Code Annotated 1953

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

Section 1. Section **26-46a-101** is enacted to read:

CHAPTER 46a. RURAL PHYSICIAN LOAN REPAYMENT PROGRAM

26-46a-101. Title.

This chapter is known as "Rural Physician Loan Repayment Program."

Section 2. Section **26-46a-102** is enacted to read:

26-46a-102. Definitions.

As used in this chapter:

(1) "Hospital" means a general acute hospital, as defined in Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

(2) "Physician" means a person:

(a) licensed as a physician under Title 58, Chapter 67, Utah Medical Practice Act; or

(b) licensed as a physician under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.

(3) "Rural county" means a county with a population of less than 50,000, as determined by:

(a) the most recent official census or census estimate of the United States Census Bureau; or

(b) the most recent population estimate for the county from the Utah Population

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Estimates Committee, if a population figure for the county is not available under Subsection (3)(a).

(4) "Rural hospital" means a hospital located within a rural county.

Section 3. Section **26-46a-103** is enacted to read:

26-46a-103. Rural Physician Loan Repayment Program -- Purpose -- Repayment limit -- Funding -- Reporting -- Rulemaking -- Advisory committee.

(1) There is created within the department the Rural Physician Loan Repayment Program to provide, within funding appropriated by the Legislature for this purpose, education loan repayment assistance to physicians in accordance with Subsection (2).

(2) The department may enter into an education loan repayment assistance contract with a physician if:

(a) the physician:

(i) locates or continues to practice in a rural county; and

(ii) has a written commitment from a rural hospital that the hospital will provide education loan repayment assistance to the physician;

(b) the assistance provided by the program does not exceed the assistance provided by the rural hospital; and

(c) the physician is otherwise eligible for assistance under administrative rules adopted under Subsection (6).

(3) Funding for the program:

(a) shall be a line item within an appropriations act;

~~(b) shall be nonlapsing unless designated otherwise by the Legislature;~~

~~(c)~~ (f)(b) may be used to pay for the per diem and travel expenses of the Rural Physician Loan Repayment Program Advisory Committee under Subsection 26-46a-104(5); and

~~(d)~~ (c) may be used to pay for department expenses incurred in the administration of the program:

(i) including administrative support provided to the Rural Physician Loan Repayment Program Advisory Committee created under Subsection 26-46a-104(7); and

(ii) in an amount not exceeding 10% of funding for the program.

(4) Refunds of loan repayment assistance, penalties for breach of contract, and other payments to the program are dedicated credits to the program.

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(5) The department shall prepare an annual report of the program's revenues, expenditures, and outcomes.

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

(i) application procedures;

(ii) eligibility criteria;

(iii) verification of the amount provided by a rural hospital to a physician for repayment of the physician's education loans;

(iv) service conditions, which at a minimum shall include professional service by the physician in the rural hospital providing loan repayment assistance to the physician;

(v) selection criteria and assistance amounts;

(vi) penalties for failure to comply with service conditions or other terms of a loan repayment assistance contract; and

(vii) criteria for modifying or waiving service conditions or penalties in the case of extreme hardship or for other good cause.

(b) The department shall seek and consider the recommendations of the Rural Physician Loan Repayment Program Advisory Committee created under Section 26-46a-104 as it develops and modifies rules to administer the program.

Section 4. Section **26-46a-104** is enacted to read:

26-46a-104. Rural Physician Loan Repayment Program Advisory Committee -- Membership -- Compensation -- Duties.

(1) There is created the Rural Physician Loan Repayment Program Advisory Committee consisting of the following seven members appointed by the executive director:

(a) two legislators whose districts include rural counties; and

(b) five administrators of rural hospitals nominated by an association representing Utah hospitals, no more than two of whom are employed by hospitals affiliated by ownership.

(2) An appointment to the committee shall be for a four-year term unless the member is appointed to complete an unexpired term. The executive director shall adjust the length of term at the time of appointment or reappointment so that approximately one half of the committee is appointed every two years. The executive director shall annually appoint a

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committee chair from among the members of the committee.

(3) (a) The committee shall meet at the call of:

(i) the chair;

(ii) at least three members of the committee; or

(iii) the executive director.

(b) The committee shall meet at least once each calendar year.

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

(5) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(6) The committee shall make recommendations to the department for the development and modification of rules to administer the Rural Physician Loan Repayment Program.

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

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Legislative Review Note

~~as of 1-9-15 11:42 AM~~

~~Office of Legislative Research and General Counsel~~ Section 5. Section 63J-1-602.1 is amended to read:

63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title 1 through Title 30.

(1) Appropriations made to the Legislature and its committees.

(2) The Percent-for-Art Program created in Section 9-6-404.

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(3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in Section 9-18-102.

(4) The LeRay McAllister Critical Land Conservation Program created in Section 11-38-301.

(5) An appropriation made to the Division of Wildlife Resources for the appraisal and purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6.

(6) Award money under the State Asset Forfeiture Grant Program, as provided under Section 24-4-117.

(7) Funds collected from the emergency medical services grant program, as provided in Section 26-8a-207.

(8) The Prostate Cancer Support Restricted Account created in Section 26-21a-303.

(9) State funds appropriated for matching federal funds in the Children's Health Insurance Program as provided in Section 26-40-108.

(10) The Utah Health Care Workforce Financial Assistance Program created in Section 26-46-102.

(11) The primary care grant program created in Section 26-10b-102.

(12) The Rural Physician Loan Repayment Program created in Section 26-46a-103.