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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2179 Session of  
2014

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INTRODUCED BY MURT, MCGEEHAN, CALTAGIRONE, PASHINSKI, KORTZ,  
YOUNGBLOOD, READSHAW, SCHLOSSBERG, MILLARD, MCNEILL, THOMAS,  
MAHONEY, COHEN AND WATSON, APRIL 14, 2014

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REFERRED TO COMMITTEE ON HEALTH, APRIL 14, 2014

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AN ACT

1 Amending the act of December 2, 1992 (P.L.741, No.113), entitled  
2 "An act providing a comprehensive plan for health care for  
3 uninsured children; providing for medical education  
4 assistance; making appropriations; and making repeals," in  
5 primary care to medically underserved areas, further  
6 providing for definitions and for loan forgiveness for  
7 primary health care practitioners.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 1301 of the act of December 2, 1992  
11 (P.L.741, No.113), known as the Children's Health Care Act, is  
12 amended by adding definitions to read:

13 Section 1301. Definitions.

14 The following words and phrases when used in this chapter  
15 shall have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 \* \* \*

18 "Full-time." An employment period in which an employee works  
19 for a duration of:

- 1           (1) no more than 12 hours per day in a 24-hour period;
- 2           (2) no less than four days per week;
- 3           (3) no less than 40 hours per week; and
- 4           (4) no less than 45 weeks per year.

5 Unless approved by the department, this term shall not include  
6 on-call time.

7       "On-call time." Time spent by an employee who is not  
8 currently working on the premises of the place of employment,  
9 but who is compensated for availability or as a condition of  
10 employment and has agreed to be available to return to the  
11 premises of the place of employment on short notice if the need  
12 arises.

13       "Part-time." An employment period in which an employee works  
14 for a duration of:

- 15           (1) no more than 12 hours per day in a 24-hour period;
- 16           (2) no less than two days per week;
- 17           (3) no less than 20 hours per week, but no more than 39  
18 hours per week; and
- 19           (4) no less than 45 weeks per year.

20 Unless approved by the department, this term shall not include  
21 on-call time.

22       \* \* \*

23       Section 2. Section 1303(d), (e) and (f) of the act are  
24 amended and the section is amended by adding a subsection to  
25 read:

26 Section 1303. Loan forgiveness for primary health care  
27 practitioners.

28       \* \* \*

29       (d) Eligibility.--Consideration for loan repayment  
30 assistance shall be as follows:

1 (1) The applicant must be one of the following:

2 (i) An individual who:

3 (A) has a medical degree from an accredited  
4 medical school or osteopathic medical college;

5 (B) has completed an approved graduate training  
6 program in primary care medicine;

7 (C) is licensed to practice medicine in this  
8 Commonwealth; and

9 (D) is board eligible in a primary care  
10 specialty.

11 (ii) An individual who is licensed to practice  
12 general dentistry in this Commonwealth.

13 (iii) An individual who holds a nursing degree from  
14 an accredited nursing program and has completed a  
15 training program for nurse practitioners or nurse  
16 midwives.

17 (iv) An individual who has graduated from an  
18 accredited program for physician assistants.

19 (2) An applicant who is qualified under paragraph (1)  
20 must agree to serve in a designated medically underserved  
21 area of this Commonwealth as a primary health care  
22 practitioner for:

23 (i) if employed as a primary health care  
24 practitioner part-time, not less than three years; or

25 (ii) if employed as a primary health care  
26 practitioner full-time, not less than three years.

27 (e) Benefits for full-time health care practitioners.--The  
28 following shall apply to a full-time health care practitioner:

29 (1) A physician or dentist who is eligible under  
30 subsection (d) and works full-time shall be eligible to

1 receive up to \$64,000 in loan exonerations based on the  
2 following schedule:

- 3 (i) Year one, 15%.
- 4 (ii) Year two, 20%.
- 5 (iii) Year three, 30%.
- 6 (iv) Year four, 35%.

7 (2) A nurse practitioner, physician assistant or nurse  
8 midwife who is eligible under subsection (d) and works full-  
9 time shall be eligible to receive up to \$40,000 in loan  
10 exonerations based on the following repayment schedule:

- 11 (i) Year one, 15%.
- 12 (ii) Year two, 20%.
- 13 (iii) Year three, 30%.
- 14 (iv) Year four, 35%.

15 (e.1) Benefits for part-time health care practitioners.--The  
16 following shall apply to a part-time health care practitioner:

17 (1) A physician or dentist who is eligible under  
18 subsection (d) and works part-time shall be eligible to  
19 receive up to \$32,000 in loan exonerations based on the  
20 following schedule:

- 21 (i) Year one, 15%.
- 22 (ii) Year two, 20%.
- 23 (iii) Year three, 30%.
- 24 (iv) Year four, 35%.

25 (2) A nurse practitioner, physician assistant or nurse  
26 midwife who is eligible under subsection (d) and works part-  
27 time shall be eligible to receive up to \$20,000 in loan  
28 exonerations based on the following repayment schedule:

- 29 (i) Year one, 15%.
- 30 (ii) Year two, 20%.

1                   (iii) Year three, 30%.

2                   (iv) Year four, 35%.

3           (f) Contracts.--A recipient of loan repayment assistance  
4 shall enter into a contract with the agency and the Department  
5 of Health, which shall be considered a contract with the  
6 Commonwealth. Priority shall be given to those applicants who  
7 agree to engage in full-time primary health care practice a  
8 minimum of three years or more or part-time primary health care  
9 practice a minimum of three years or more in a designated  
10 medically underserved area. Preference shall be given to  
11 residents of this Commonwealth, minority applicants and  
12 graduates of Pennsylvania institutions providing primary health  
13 care education. The contract shall include, but not be limited  
14 to, the following terms and conditions:

15           (1) An unlicensed applicant shall apply for a license to  
16 practice in this Commonwealth at the earliest practicable  
17 opportunity.

18           (2) Within six months after licensure and the completion  
19 of all requirements for the primary care specialty, an  
20 applicant shall engage in the practice of primary health care  
21 medicine in a designated medically underserved area approved  
22 by the Department of Health. The Department of Health shall  
23 provide applicants with a list of available designated  
24 medically underserved area sites and shall, to the extent  
25 possible, approve applicant selections in the order they are  
26 received.

27           (3) The applicant shall agree to serve not less than  
28 three full years, if full-time, or not less than three years,  
29 if part-time, in a designated medically underserved area at a  
30 repayment assistance schedule as provided in subsection (e)

1 or (e.1).

2 (4) The primary health care practitioner shall agree to  
3 treat patients in the area eligible for medical assistance  
4 and Medicare.

5 (5) The primary health care practitioner shall agree to  
6 practice on a full-time basis or a part-time basis in the  
7 designated medically underserved area.

8 (6) The primary health care practitioner shall permit  
9 the agency or the Department of Health to monitor the  
10 practice to determine compliance with the terms of the  
11 contract.

12 (7) The agency shall certify compliance with the terms  
13 of the contract for purposes of receipt by the primary health  
14 care practitioner of loan repayment awards for years  
15 subsequent to the initial year of the loan.

16 (8) The contract shall be renewable on an annual basis  
17 upon certification by the agency that the primary health care  
18 practitioner has complied with the terms of the contract.

19 (9) Upon the recipient's death or total or permanent  
20 disability, the agency shall nullify the service obligation  
21 of the recipient.

22 (10) If the recipient is convicted of, or pleads guilty  
23 or no contest to, a felony or misdemeanor or if the  
24 appropriate licensing board has determined that the recipient  
25 has committed an act of gross negligence in the performance  
26 of service obligations or has suspended or revoked the  
27 license to practice, the agency shall have the authority to  
28 terminate the recipient's service in the program and demand  
29 repayment of the assistance rendered to date.

30 (11) Loan recipients who fail to begin or complete the

1 obligations contracted for shall pay to the agency three  
2 times the amount of assistance received. Falsification or  
3 misrepresentation on an application or in verification of  
4 service shall be construed to be a default. Determination as  
5 to the time of breach of contract shall be made by the  
6 agency. Both the recipient and the agency shall make every  
7 effort to resolve conflicts in order to prevent a breach of  
8 contract.

9 \* \* \*

10 Section 3. This act shall take effect in 60 days.