

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:

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

3 Section 1301. Definitions.

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

7 * * *

8 "Full-time." An employment period in which an employee works
9 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%.
- 0 (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.