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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1267 Session of  
2018

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INTRODUCED BY BOBACK, THOMAS, SCHLOSSBERG, SAYLOR, JAMES,  
READSHAW, WATSON AND PICKETT, FEBRUARY 8, 2018

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REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 8, 2018

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AN ACT

1 Establishing the Student Loan Forgiveness for Dentists Program  
2 to recruit and retain dentists willing to serve underserved  
3 Commonwealth residents.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Student Loan  
8 Forgiveness for Dentists Act.

9 Section 2. Declaration of purpose.

10 The General Assembly declares that the purpose of this act  
11 is to provide an incentive for individuals to pursue higher  
12 education and training in dentistry and practice dentistry in  
13 this Commonwealth.

14 Section 3. Definitions.

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

18 "Award recipient." An eligible individual who receives

1 student loan forgiveness under the program.

2 "Dentist." An individual licensed to practice general or  
3 specialty dentistry under the act of May 1, 1933 (P.L.216,  
4 No.76), known as The Dental Law.

5 "Department." The Department of Health of the Commonwealth.

6 "Designated area." Any of the following:

7 (1) A geographic area of this Commonwealth that is  
8 designated by the secretary as having a shortage of dentists.

9 (2) A geographic area of this Commonwealth designated as  
10 a HPSA or designated to have an underserved population of  
11 dentists.

12 "Eligible individual." An individual participating in the  
13 Primary Health Care Loan Repayment Program who:

14 (1) holds an undergraduate degree from an institution of  
15 higher learning and graduated from an accredited dental  
16 school; or

17 (2) is a practicing dentist in this Commonwealth.

18 "HPSA." A Health Professional Shortage Area designated by  
19 the United States Department of Health and Human Services.

20 "Primary Health Care Loan Repayment Program." The program  
21 administered by the department which provides loan repayment  
22 opportunities as an incentive to recruit and retain primary care  
23 practitioners willing to practice dentistry in designated areas  
24 or HPSAs.

25 "Program." Student Loan Forgiveness for Dentists Program.

26 "Secretary." The Secretary of Health of the Commonwealth.

27 Section 4. Student Loan Forgiveness for Dentists Program.

28 (a) Establishment of program.--The Student Loan Forgiveness  
29 for Dentists Program is established.

30 (b) Administration.--The department shall administer the

1 program for the purpose of providing student loan forgiveness  
2 for eligible individuals who enter into an agreement with the  
3 department to practice dentistry in this Commonwealth as  
4 specified under subsection (c).

5 (c) Loan forgiveness.--The department shall forgive 50% of  
6 an eligible individual's student loans, not to exceed \$200,000,  
7 if the eligible individual enters into an agreement with the  
8 department to practice dentistry in this Commonwealth for a  
9 period of three consecutive years.

10 (d) Agreement provisions.--The agreement under subsection  
11 (b) shall include the following terms:

12 (1) If the award recipient is not licensed to practice  
13 dentistry in this Commonwealth, the eligible individual shall  
14 apply for a dental license to practice in this Commonwealth  
15 at the earliest practicable opportunity.

16 (2) Within six months after entering into an agreement  
17 under subsection (b), the award recipient shall practice  
18 dentistry in this Commonwealth according to the terms of the  
19 student loan forgiveness award.

20 (3) The award recipient shall agree to practice  
21 dentistry in this Commonwealth on a full-time basis.

22 (4) The award recipient shall permit the department to  
23 determine compliance with the work requirement specified in  
24 the agreement under subsection (b). If the award recipient  
25 fails to comply with the work requirement specified in the  
26 agreement under subsection (b), the award recipient shall  
27 reimburse the Commonwealth for the amount of student loan  
28 forgiveness received, including interest accrued as  
29 determined by the department. The award recipient and the  
30 department shall make every effort to resolve conflicts in

order to prevent a breach of the agreement under subsection (b).

(5) Upon the award recipient's death or total or permanent disability, the department shall not be required to provide student loan forgiveness under the program.

(6) The department may terminate student loan forgiveness and demand repayment of the amount of student loans forgiven if:

(i) the award recipient is convicted of or pleads guilty or no contest to a felony; or

(ii) the State Board of Dentistry has determined that the award recipient has committed an act of gross negligence in the practice of dentistry or has suspended or revoked the award recipient's license to practice.

(e) Agreement enforcement.--Notwithstanding 42 Pa.C.S. § 8127 (relating to personal earnings exempt from process), the department may seek garnishment of wages of an award recipient who fails to comply with the agreement under subsection (b) for the amount of student loan forgiveness provided to the award recipient.

## Section 5. Tax applicability.

Student loan forgiveness received under this act shall not be considered taxable income for purposes of Article III of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

## Section 6. Annual report.

(a) Development of report.--By September 1, 2018, and each September 1 thereafter, the department shall compile a report regarding the operation of the program for the immediately preceding fiscal year. The report shall include the following

1 information:

2 (1) The number and amount of student loan forgiveness  
3 agreements executed and renewed for eligible recipients.

4 (2) The number of defaulted student loan forgiveness  
5 agreements and the cause for the defaults.

6 (3) The number of eligible individuals participating in  
7 the program.

8 (4) The number and type of enforcement actions taken by  
9 the department regarding the implementation of the program.

10 (b) Submission.--The department shall submit the report  
11 under subsection (a) to the following individuals:

12 (1) The Governor.

13 (2) The chair and minority chair of the Appropriations  
14 Committee of the Senate.

15 (3) The chair and minority chair of the Education  
16 Committee of the Senate.

17 (4) The chair and minority chair of the Health and Human  
18 Services Committee of the Senate.

19 (5) The chair and minority chair of the Appropriations  
20 Committee of the House of Representatives.

21 (6) The chair and minority chair of the Education  
22 Committee of the House of Representatives.

23 (7) The chair and minority chair of the Health Committee  
24 of the House of Representatives.

25 Section 7. Funding for Student Loan Forgiveness for Dentists  
26 Program.

27 Student loan forgiveness payments under this act shall be  
28 made only to the extent that funds are appropriated for the  
29 program and are sufficient to cover administration of the  
30 program. Student loan forgiveness under this act shall not

1 constitute an entitlement derived from the Commonwealth or a  
2 claim on any funds of the Commonwealth.

3 Section 8. Regulations.

4 The department shall promulgate regulations necessary to  
5 administer this act.

6 Section 9. Effective date.

7 This act shall take effect in 90 days.