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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 488 Session of  
2019

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INTRODUCED BY BOBACK, SIMMONS, SAYLOR, JAMES, HARKINS,  
SCHLOSSBERG, YOUNGBLOOD, PICKETT, DeLUCA, KAUFER AND MULLINS,  
FEBRUARY 12, 2019

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REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 12, 2019

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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) is a resident of this Commonwealth;

15 (2) holds an undergraduate degree from an institution of  
16 higher education;

17 (3) graduated from an accredited dental school; and

18 (4) is a practicing dentist in this Commonwealth.

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

21 "Institution of higher education." The term includes any of  
22 the following:

23 (1) A community college operating under Article XIX-A of  
24 the act of March 10, 1949 (P.L.30, No.14), known as the  
25 Public School Code of 1949.

26 (2) A university within the State System of Higher  
27 Education established under Article XX-A of the Public School  
28 Code of 1949.

29 (3) The Pennsylvania State University.

30 (4) The University of Pittsburgh.

- 1 (5) Temple University.
- 2 (6) Lincoln University.
- 3 (7) The Thaddeus Stevens College of Technology.
- 4 (8) Any other institution designated as "State-related"
- 5 by the Commonwealth.

6 "Primary Health Care Loan Repayment Program." The program  
7 administered by the department which provides loan repayment  
8 opportunities as an incentive to recruit and retain primary care  
9 practitioners willing to practice dentistry in designated areas  
10 or HPSAs.

11 "Program." The Student Loan Forgiveness for Dentists  
12 Program.

13 "Secretary." The Secretary of Health of the Commonwealth.  
14 Section 4. Student Loan Forgiveness for Dentists Program.

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

17 (b) Administration.--The department shall administer the  
18 program for the purpose of providing student loan forgiveness  
19 for eligible individuals who enter into an agreement with the  
20 department to practice dentistry in this Commonwealth as  
21 specified under subsection (c).

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

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

29 (1) If the award recipient is not licensed to practice  
30 dentistry in this Commonwealth, the eligible individual shall

1 apply for a dental license to practice in this Commonwealth  
2 at the earliest practicable opportunity.

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

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

9 (4) The award recipient shall permit the department to  
10 determine compliance with the work requirement specified in  
11 the agreement under subsection (b). If the award recipient  
12 fails to comply with the work requirement specified in the  
13 agreement under subsection (b), the award recipient shall  
14 reimburse the Commonwealth for the amount of student loan  
15 forgiveness received, including interest accrued as  
16 determined by the department. The award recipient and the  
17 department shall make every effort to resolve conflicts in  
18 order to prevent a breach of the agreement under subsection  
19 (b).

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

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

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

28 (ii) the State Board of Dentistry has determined  
29 that the award recipient has committed an act of gross  
30 negligence in the practice of dentistry or has suspended

1 or revoked the award recipient's license to practice.

2 (e) Agreement enforcement.--Notwithstanding 42 Pa.C.S. §  
3 8127 (relating to personal earnings exempt from process), the  
4 department may seek garnishment of wages of an award recipient  
5 who fails to comply with the agreement under subsection (b) for  
6 the amount of student loan forgiveness provided to the award  
7 recipient.

8 Section 5. Tax applicability.

9 Student loan forgiveness received under this act shall not be  
10 considered taxable income for purposes of Article III of the act  
11 of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of  
12 1971.

13 Section 6. Annual report.

14 (a) Development of report.--By September 1, 2019, and each  
15 September 1 thereafter, the department shall compile a report  
16 regarding the operation of the program for the immediately  
17 preceding fiscal year. The report shall include the following  
18 information:

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

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

23 (3) The number of eligible individuals participating in  
24 the program.

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

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

29 (1) The Governor.

30 (2) The chair and minority chair of the Appropriations

1 Committee of the Senate.

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

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

6 (5) The chair and minority chair of the Appropriations  
7 Committee of the House of Representatives.

8 (6) The chair and minority chair of the Education  
9 Committee of the House of Representatives.

10 (7) The chair and minority chair of the Health Committee  
11 of the House of Representatives.

12 Section 7. Funding for Student Loan Forgiveness for Dentists  
13 Program.

14 Student loan forgiveness payments under this act shall be  
15 made only to the extent that funds are appropriated for the  
16 program and are sufficient to cover administration of the  
17 program. Student loan forgiveness under this act shall not  
18 constitute an entitlement derived from the Commonwealth or a  
19 claim on any funds of the Commonwealth.

20 Section 8. Regulations.

21 The department shall promulgate regulations necessary to  
22 administer this act.

23 Section 9. Effective date.

24 This act shall take effect in 90 days.