

7179

2011-2012 Regular Sessions

I N A S S E M B L Y

April 14, 2011

Introduced by M. of A. WRIGHT -- read once and referred to the Committee
on Health

AN ACT to amend the public health law, in relation to expanding the
Doctors Across New York program to include dentists

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (d) of subdivision 5-a of section 2807-m of the
2 public health law, as amended by section 26 of part C of chapter 59 of
3 the laws of 2011, is amended to read as follows:
4 (d) Physician AND/OR DENTIST loan repayment program. One million nine
5 hundred sixty thousand dollars for the period January first, two thou-
6 sand eight through December thirty-first, two thousand eight, one
7 million nine hundred sixty thousand dollars for the period January
8 first, two thousand nine through December thirty-first, two thousand
9 nine, one million nine hundred sixty thousand dollars for the period
10 January first, two thousand ten through December thirty-first, two thou-
11 sand ten, four hundred ninety thousand dollars for the period January
12 first, two thousand eleven through March thirty-first, two thousand
13 eleven, and one million seven hundred thousand dollars each state fiscal
14 year for the period April first, two thousand eleven through March thir-
15 ty-first, two thousand fourteen, shall be set aside and reserved by the
16 commissioner from the regional pools established pursuant to subdivision
17 two of this section and shall be available for purposes of physician
18 AND/OR DENTIST loan repayment in accordance with subdivision ten of this
19 section. Such funding shall be allocated regionally with one-third of
20 available funds going to New York city and two-thirds of available funds
21 going to the rest of the state and shall be distributed in a manner to
22 be determined by the commissioner as follows:
23 (i) Funding shall first be awarded to repay loans of up to twenty-five
24 physicians AND/OR DENTISTS who train in primary care or specialty tracks
25 in teaching general hospitals, and who enter and remain in primary care

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 or specialty practices in underserved communities, as determined by the
2 commissioner.

3 (ii) After distributions in accordance with subparagraph (i) of this
4 paragraph, all remaining funds shall be awarded to repay loans of physi-
5 cians AND/OR DENTISTS who enter and remain in primary care or specialty
6 practices in underserved communities, as determined by the commissioner,
7 including but not limited to physicians AND/OR DENTISTS working in
8 general hospitals, or other health care facilities.

9 (iii) In no case shall less than fifty percent of the funds available
10 pursuant to this paragraph be distributed in accordance with subpara-
11 graphs (i) and (ii) of this paragraph to physicians AND/OR DENTISTS
12 identified by general hospitals.

13 S 2. Paragraph (e) of subdivision 5-a of section 2807-m of the public
14 health law, as amended by section 26 of part C of chapter 59 of the laws
15 of 2011, is amended to read as follows:

16 (e) Physician AND/OR DENTIST practice support. Four million nine
17 hundred thousand dollars for the period January first, two thousand
18 eight through December thirty-first, two thousand eight, four million
19 nine hundred thousand dollars annually for the period January first, two
20 thousand nine through December thirty-first, two thousand ten, one
21 million two hundred twenty-five thousand dollars for the period January
22 first, two thousand eleven through March thirty-first, two thousand
23 eleven, and four million three hundred thousand dollars each state
24 fiscal year for the period April first, two thousand eleven through
25 March thirty-first, two thousand fourteen, shall be set aside and
26 reserved by the commissioner from the regional pools established pursu-
27 ant to subdivision two of this section and shall be available for
28 purposes of physician AND/OR DENTIST practice support. Such funding
29 shall be allocated regionally with one-third of available funds going to
30 New York city and two-thirds of available funds going to the rest of the
31 state and shall be distributed in a manner to be determined by the
32 commissioner as follows:

33 (i) Preference in funding shall first be accorded to teaching general
34 hospitals for up to twenty-five awards, to support costs incurred by
35 physicians AND/OR DENTISTS trained in primary or specialty tracks who
36 thereafter establish or join practices in underserved communities, as
37 determined by the commissioner.

38 (ii) After distributions in accordance with subparagraph (i) of this
39 paragraph, all remaining funds shall be awarded to physicians AND/OR
40 DENTISTS to support the cost of establishing or joining practices in
41 underserved communities, as determined by the commissioner, and to
42 hospitals and other health care providers to recruit new physicians
43 AND/OR DENTISTS to provide services in underserved communities, as
44 determined by the commissioner.

45 (iii) In no case shall less than fifty percent of the funds available
46 pursuant to this paragraph be distributed to general hospitals in
47 accordance with subparagraphs (i) and (ii) of this paragraph.

48 S 3. Subdivision 10 of section 2807-m of the public health law, as
49 added by section 75-e of part C of chapter 58 of the laws of 2008, and
50 paragraphs (a) and (c) as amended by section 13 of part B of chapter 58
51 of the laws of 2010, is amended to read as follows:

52 10. Physician AND/OR DENTIST loan repayment program. (a) Beginning
53 January first, two thousand eight, the commissioner is authorized, with-
54 in amounts available pursuant to subdivision five-a of this section, to
55 make loan repayment awards to primary care physicians AND/OR DENTISTS or
56 other physician AND/OR DENTIST specialties determined by the commission-

1 er to be in short supply, licensed to practice medicine AND/OR DENTISTRY
2 in New York state, who agree to practice for at least five years in an
3 underserved area, as determined by the commissioner. Such physician
4 AND/OR DENTIST shall be eligible for a loan repayment award of up to one
5 hundred fifty thousand dollars over a five year period distributed as
6 follows: fifteen percent of total loan debt not to exceed twenty thou-
7 sand dollars for the first year; fifteen percent of total loan debt not
8 to exceed twenty-five thousand dollars for the second year; twenty
9 percent of total loan debt not to exceed thirty-five thousand dollars
10 for the third year; and twenty-five percent of total loan debt not to
11 exceed thirty-five thousand dollars per year for the fourth year; and
12 any unpaid balance of the total loan debt not to exceed the maximum
13 award amount for the fifth year of practice in such area.

14 (b) Loan repayment awards made to a physician AND/OR DENTIST pursuant
15 to paragraph (a) of this subdivision shall not exceed the total qualify-
16 ing outstanding debt of the physician AND/OR DENTIST from student loans
17 to cover tuition and other related educational expenses, made by or
18 guaranteed by the federal or state government, or made by a lending or
19 educational institution approved under title IV of the federal higher
20 education act. Loan repayment awards shall be used solely to repay such
21 outstanding debt.

22 (c) In the event that a five-year commitment pursuant to the agreement
23 referenced in paragraph (a) of this subdivision is not fulfilled, the
24 recipient shall be responsible for repayment in amounts which shall be
25 calculated in accordance with the formula set forth in subdivision (b)
26 of section two hundred fifty-four-o of title forty-two of the United
27 States Code, as amended.

28 (d) The commissioner is authorized to apply any funds available for
29 purposes of paragraph (a) of this subdivision for use as matching funds
30 for federal grants for the purpose of assisting states in operating loan
31 repayment programs pursuant to section three hundred thirty-eight I of
32 the public health service act.

33 (e) The commissioner may postpone, change or waive the service obli-
34 gation and repayment amounts set forth in paragraphs (a) and (c),
35 respectively of this subdivision in individual circumstances where there
36 is compelling need or hardship.

37 (f)(i) When a physician AND/OR DENTIST is not actually practicing in
38 an underserved area, he or she shall be deemed to be practicing in an
39 underserved area if he or she practices in a facility or physician's
40 AND/OR DENTIST'S office that primarily serves an underserved population
41 as determined by the commissioner, without regard to whether the popu-
42 lation or the facility or physician's AND/OR DENTIST'S office is located
43 in an underserved area.

44 (ii) In making criteria and determinations as to whether an area is an
45 underserved area or whether a facility or physician's AND/OR DENTIST'S
46 office primarily serves an underserved population, the commissioner may
47 make separate criteria and determinations for different specialties.

48 S 4. This act shall take effect immediately.