

2719

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 17, 2013

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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 53 of part D of chapter 56 of  
3 the laws of 2012, 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 DENTISTS loan repayment in accordance with subdivision ten of  
19 this section. Notwithstanding any contrary provision of this section,  
20 sections one hundred twelve and one hundred sixty-three of the state  
21 finance law, or any other contrary provision of law, such funding shall  
22 be allocated regionally with one-third of available funds going to New  
23 York city and two-thirds of available funds going to the rest of the  
24 state and shall be distributed in a manner to be determined by the  
25 commissioner without a competitive bid or request for proposal process  
26 as follows:  
27     (i) Funding shall first be awarded to repay loans of up to twenty-five  
28 physicians AND/OR DENTISTS who train in primary care or specialty tracks

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

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1 in teaching general hospitals, and who enter and remain in primary care  
2 or specialty practices in underserved communities, as determined by the  
3 commissioner.

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

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

14 S 2. Paragraph (e) of subdivision 5-a of section 2807-m of the public  
15 health law, as amended by section 53 of part D of chapter 56 of the laws  
16 of 2012, is amended to read as follows:

17 (e) Physician AND/OR DENTIST practice support. Four million nine  
18 hundred thousand dollars for the period January first, two thousand  
19 eight through December thirty-first, two thousand eight, four million  
20 nine hundred thousand dollars annually for the period January first, two  
21 thousand nine through December thirty-first, two thousand ten, one  
22 million two hundred twenty-five thousand dollars for the period January  
23 first, two thousand eleven through March thirty-first, two thousand  
24 eleven, and four million three hundred thousand dollars each state  
25 fiscal year for the period April first, two thousand eleven through  
26 March thirty-first, two thousand fourteen, shall be set aside and  
27 reserved by the commissioner from the regional pools established pursu-  
28 ant to subdivision two of this section and shall be available for  
29 purposes of physician AND/OR DENTIST practice support. Notwithstanding  
30 any contrary provision of this section, sections one hundred twelve and  
31 one hundred sixty-three of the state finance law, or any other contrary  
32 provision of law, such funding shall be allocated regionally with one-  
33 third of available funds going to New York city and two-thirds of avail-  
34 able funds going to the rest of the state and shall be distributed in a  
35 manner to be determined by the commissioner without a competitive bid or  
36 request for proposal process as follows:

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

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

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

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

1 10. Physician AND/OR DENTIST loan repayment program. (a) Beginning  
2 January first, two thousand eight, the commissioner is authorized, with-  
3 in amounts available pursuant to subdivision five-a of this section, to  
4 make loan repayment awards to primary care physicians AND/OR DENTISTS or  
5 other physician AND/OR DENTIST specialties determined by the commission-  
6 er to be in short supply, licensed to practice medicine AND/OR DENTISTRY  
7 in New York state, who agree to practice for at least five years in an  
8 underserved area, as determined by the commissioner. Such physician  
9 AND/OR DENTIST shall be eligible for a loan repayment award of up to one  
10 hundred fifty thousand dollars over a five year period distributed as  
11 follows: fifteen percent of total loan debt not to exceed twenty thou-  
12 sand dollars for the first year; fifteen percent of total loan debt not  
13 to exceed twenty-five thousand dollars for the second year; twenty  
14 percent of total loan debt not to exceed thirty-five thousand dollars  
15 for the third year; and twenty-five percent of total loan debt not to  
16 exceed thirty-five thousand dollars per year for the fourth year; and  
17 any unpaid balance of the total loan debt not to exceed the maximum  
18 award amount for the fifth year of practice in such area.

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

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

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

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

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

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

53 S 4. This act shall take effect immediately.