

9265

I N A S S E M B L Y

April 4, 2014

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

AN ACT to amend the public health law, in relation to developing and implementing a residency program initiative to service medically underserved areas; and making an appropriation therefor

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

- 1 Section 1. The public health law is amended by adding a new section
2 2807-mm to read as follows:
3 S 2807-MM. RESIDENT PROGRAM INITIATIVE TO SERVICE MEDICALLY UNDER-
4 SERVED AREAS. 1. THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A RESIDENCY
5 PROGRAM INITIATIVE FOR PHYSICIANS WHO AGREE TO WORK IN MEDICALLY UNDER-
6 SERVED AREAS IN NEW YORK STATE AS DESIGNATED BY THE COMMISSIONER AS
7 HAVING A SHORTAGE OF PHYSICIANS IN CERTAIN AREAS. THIS INITIATIVE WILL
8 FUND FIFTY RESIDENCY POSITIONS.
9 2. THE PHYSICIAN APPLICANT MUST:
10 (A) COMPLETE A RESIDENCY PROGRAM INITIATIVE APPLICATION, AS DEVELOPED
11 BY THE DEPARTMENT; AND
12 (B) HAVE ENTERED THE NATIONAL RESIDENT MATCHING PROGRAM AND HAVE
13 FAILED TO MATCH; AND
14 (C) BE A RESIDENT OF NEW YORK STATE; AND
15 (D) HAVE GRADUATED FROM A NEW YORK STATE ACCREDITED MEDICAL SCHOOL AND
16 HAVE PASSED THE UNITED STATES MEDICAL LICENSING EXAMINATION STEPS 1 AND
17 2; OR
18 (E) BE CERTIFIED BY THE EDUCATION COMMISSION FOR FOREIGN MEDICAL GRAD-
19 UATES.
20 3. NEW YORK STATE ACCREDITED RESIDENCY PROGRAMS MUST COMPLETE A RESI-
21 DENCY PROGRAM PARTICIPATION APPLICATION, AS DEVELOPED BY THE DEPARTMENT.
22 4. IN ORDER FOR A NEW YORK STATE ACCREDITED RESIDENCY PROGRAM TO BE
23 APPROVED IT MUST BE EITHER A TEACHING HOSPITAL OR HAVE TEACHING HOSPITAL
24 OVERSIGHT AND BE LICENSED BY THE DEPARTMENT.
25 5. RESIDENCY POSITIONS FUNDED UNDER THIS PROGRAM SHALL BE AWARDED TO
26 INTERESTED HOSPITALS ON A COMPETITIVE BASIS PURSUANT TO A REQUEST FOR
27 PROPOSAL OR REQUEST FOR APPLICATION PROCESS.

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

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1 6. THE DEPARTMENT WILL MATCH PHYSICIAN APPLICANTS WITH APPROVED
2 MEDICAL RESIDENCY PROGRAMS.

3 7. UPON ACCEPTANCE TO AN APPROVED MEDICAL RESIDENCY PROGRAM THE PHYSI-
4 CIAN APPLICANT MUST SIGN A CONTRACT WITH THE STATE WHEREBY THE PHYSICIAN
5 APPLICANT AGREES TO WORK IN NEW YORK STATE IN A MEDICALLY UNDERSERVED
6 AREA AT THE COMPLETION OF HIS OR HER RESIDENCY FOR A MINIMUM OF FIVE
7 YEARS. THE LOCATION MUST BE APPROVED BY THE DEPARTMENT AND MUST ACCEPT
8 MEDICAID AND MEDICARE. THE PHYSICIAN APPLICANT SHALL BE RESPONSIBLE TO
9 REPAY THE DEPARTMENT FOR THE COST OF THEIR RESIDENCY SHOULD THEY EITHER
10 FAIL TO COMPLETE THE RESIDENCY OR THE SUBSEQUENT SERVICE REQUIREMENT.
11 THE COMMISSIONER SHALL BE GIVEN THE POWER TO WAIVE OR MODIFY THE REPAY-
12 MENT REQUIREMENT IN CASES WHERE THERE IS A COMPELLING NEED OR HARDSHIP.

13 S 2. The sum of five million dollars (\$5,000,000), or so much thereof
14 as may be necessary, is hereby appropriated to the department of health
15 from any moneys in the state treasury in the general fund to the credit
16 of the state purposes account not otherwise appropriated for the
17 purposes of carrying out the provisions of this act. Such sum shall be
18 payable on the audit and warrant of the state comptroller on vouchers
19 certified or approved by the commissioner of health, or his duly desig-
20 nated representative in the manner provided by law.

21 S 3. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law; provided, however, that effective immediate-
23 ly, the addition, amendment and/or repeal of any rule or regulation
24 necessary for the implementation of this act on its effective date is
25 authorized and directed to be made and completed on or before such
26 effective date.