

2190--A

2013-2014 Regular Sessions

I N S E N A T E

January 14, 2013

Introduced by Sens. YOUNG, AVELLA, GOLDEN, MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to expanding the Doctors Across New York program to include dentists and extending the duration of such program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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] FIFTEEN, shall be set aside and
16 reserved by the commissioner from the regional pools established pursu-
17 ant to subdivision two of this section and shall be available for
18 purposes of physician AND/OR DENTISTS loan repayment in accordance with
19 subdivision ten of this section. Notwithstanding any contrary provision
20 of this section, sections one hundred twelve and one hundred sixty-three
21 of the state finance law, or any other contrary provision of law, such

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

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1 funding shall be allocated regionally with one-third of available funds
2 going to New York city and two-thirds of available funds going to the
3 rest of the state and shall be distributed in a manner to be determined
4 by the commissioner without a competitive bid or request for proposal
5 process as follows:

6 (i) Funding shall first be awarded to repay loans of up to twenty-five
7 physicians AND/OR DENTISTS who train in primary care or specialty tracks
8 in teaching general hospitals, and who enter and remain in primary care
9 or specialty practices in underserved communities, as determined by the
10 commissioner.

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

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

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

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

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

49 (ii) After distributions in accordance with subparagraph (i) of this
50 paragraph, all remaining funds shall be awarded to physicians AND/OR
51 DENTISTS to support the cost of establishing or joining practices in
52 underserved communities, as determined by the commissioner, and to
53 hospitals and other health care providers to recruit new physicians
54 AND/OR DENTISTS to provide services in underserved communities, as
55 determined by the commissioner.

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

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

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

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

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

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

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

49 (f)(i) When a physician AND/OR DENTIST is not actually practicing in
50 an underserved area, he or she shall be deemed to be practicing in an
51 underserved area if he or she practices in a facility or physician's
52 AND/OR DENTIST'S office that primarily serves an underserved population
53 as determined by the commissioner, without regard to whether the popu-
54 lation or the facility or physician's AND/OR DENTIST'S office is located
55 in an underserved area.

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

5 S 4. This act shall take effect immediately.