

2190--B

Cal. No. 718

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 -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

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. Paragraphs (d) and (e) of subdivision 5-a of section 2807-m
2 of the public health law, as amended by section 9 of part B of chapter
3 60 of the laws of 2014, are 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, 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, and up to one million seven hundred
16 five thousand dollars each state fiscal year for the period April first,
17 two thousand fourteen through March thirty-first, two thousand seven-

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

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1 teen, shall be set aside and reserved by the commissioner from the
2 regional pools established pursuant to subdivision two of this section
3 and shall be available for purposes of physician AND/OR DENTIST loan
4 repayment in accordance with subdivision ten of this section. Notwith-
5 standing any contrary provision of this section, sections one hundred
6 twelve and one hundred sixty-three of the state finance law, or any
7 other contrary provision of law, such funding shall be allocated
8 regionally with one-third of available funds going to New York city and
9 two-thirds of available funds going to the rest of the state and shall
10 be distributed in a manner to be determined by the commissioner without
11 a competitive bid or request for proposal process as follows:

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

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

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

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

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

55 (ii) After distributions in accordance with subparagraph (i) of this
56 paragraph, all remaining funds shall be awarded to physicians AND/OR

DENTISTS to support the cost of establishing or joining practices in underserved communities, as determined by the commissioner, and to hospitals and other health care providers to recruit new physicians AND/OR DENTISTS to provide services in underserved communities, as determined by the commissioner.

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

S 2. Subdivision 10 of section 2807-m of the public health law, as added by section 75-e of part C of chapter 58 of the laws of 2008, and paragraphs (a) and (c) as amended by section 13 of part B of chapter 58 of the laws of 2010, is amended to read as follows:

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

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

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

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

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

(f)(i) When a physician AND/OR DENTIST is not actually practicing in an underserved area, he or she shall be deemed to be practicing in an underserved area if he or she practices in a facility or physician's

1 AND/OR DENTIST'S office that primarily serves an underserved population
2 as determined by the commissioner, without regard to whether the popu-
3 lation or the facility or physician's AND/OR DENTIST'S office is located
4 in an underserved area.

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

9 S 3. This act shall take effect immediately.