

3747--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 27, 2015

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

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 9 of part B of chapter 60 of  
3 the laws of 2014, subparagraphs (iv), (v) and (vi) as added by section 4  
4 of part W of chapter 57 of the laws of 2015, is amended to read as  
5 follows:

6 (d) Physician AND/OR DENTIST loan repayment program. One million nine  
7 hundred sixty thousand dollars for the period January first, two thou-  
8 sand eight through December thirty-first, two thousand eight, one  
9 million nine hundred sixty thousand dollars for the period January  
10 first, two thousand nine through December thirty-first, two thousand  
11 nine, one million nine hundred sixty thousand dollars for the period  
12 January first, two thousand ten through December thirty-first, two thou-  
13 sand ten, four hundred ninety thousand dollars for the period January  
14 first, two thousand eleven through March thirty-first, two thousand  
15 eleven, one million seven hundred thousand dollars each state fiscal  
16 year for the period April first, two thousand eleven through March thir-  
17 ty-first, two thousand fourteen, and up to one million seven hundred  
18 five thousand dollars each state fiscal year for the period April first,  
19 two thousand fourteen through March thirty-first, two thousand seven-  
20 teen, shall be set aside and reserved by the commissioner from the  
21 regional pools established pursuant to subdivision two of this section  
22 and shall be available for purposes of physician AND/OR DENTIST loan  
23 repayment in accordance with subdivision ten of this section. Notwith-  
24 standing any contrary provision of this section, sections one hundred

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

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1 twelve and one hundred sixty-three of the state finance law, or any  
2 other contrary provision of law, such funding shall be allocated  
3 regionally with one-third of available funds going to New York city and  
4 two-thirds of available funds going to the rest of the state and shall  
5 be distributed in a manner to be determined by the commissioner without  
6 a competitive bid or request for proposal process as follows:

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

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

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

22 (iv) In addition to the funds allocated under this paragraph, for the  
23 period April first, two thousand fifteen through March thirty-first, two  
24 thousand sixteen, two million dollars shall be available for the  
25 purposes described in subdivision ten of this section;

26 (v) In addition to the funds allocated under this paragraph, for the  
27 period April first, two thousand sixteen through March thirty-first, two  
28 thousand seventeen, two million dollars shall be available for the  
29 purposes described in subdivision ten of this section;

30 (vi) Notwithstanding any provision of law to the contrary, and subject  
31 to the extension of the Health Care Reform Act of 1996, sufficient funds  
32 shall be available for the purposes described in subdivision ten of this  
33 section in amounts necessary to fund the remaining year commitments for  
34 awards made pursuant to subparagraphs (iv) and (v) of this paragraph.

35 S 2. Paragraph (e) of subdivision 5-a of section 2807-m of the public  
36 health law, as amended by section 9 of part B of chapter 60 of the laws  
37 of 2014, is amended to read as follows:

38 (e) Physician AND/OR DENTIST practice support. Four million nine  
39 hundred thousand dollars for the period January first, two thousand  
40 eight through December thirty-first, two thousand eight, four million  
41 nine hundred thousand dollars annually for the period January first, two  
42 thousand nine through December thirty-first, two thousand ten, one  
43 million two hundred twenty-five thousand dollars for the period January  
44 first, two thousand eleven through March thirty-first, two thousand  
45 eleven, four million three hundred thousand dollars each state fiscal  
46 year for the period April first, two thousand eleven through March thir-  
47 ty-first, two thousand fourteen, and up to four million three hundred  
48 sixty thousand dollars each state fiscal year for the period April  
49 first, two thousand fourteen through March thirty-first, two thousand  
50 seventeen, shall be set aside and reserved by the commissioner from the  
51 regional pools established pursuant to subdivision two of this section  
52 and shall be available for purposes of physician AND/OR DENTIST practice  
53 support. Notwithstanding any contrary provision of this section,  
54 sections one hundred twelve and one hundred sixty-three of the state  
55 finance law, or any other contrary provision of law, such funding shall  
56 be allocated regionally with one-third of available funds going to New

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

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

10 (ii) After distributions in accordance with subparagraph (i) of this  
11 paragraph, all remaining funds shall be awarded to physicians AND/OR  
12 DENTISTS to support the cost of establishing or joining practices in  
13 underserved communities, as determined by the commissioner, and to  
14 hospitals and other health care providers to recruit new physicians  
15 AND/OR DENTISTS to provide services in underserved communities, as  
16 determined by the commissioner.

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

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

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

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

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

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

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

10 (f)(i) When a physician AND/OR DENTIST is not actually practicing in  
11 an underserved area, he or she shall be deemed to be practicing in an  
12 underserved area if he or she practices in a facility or physician's  
13 AND/OR DENTIST'S office that primarily serves an underserved population  
14 as determined by the commissioner, without regard to whether the popu-  
15 lation or the facility or physician's AND/OR DENTIST'S office is located  
16 in an underserved area.

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

21 S 4. This act shall take effect immediately.