S T A T E O F N E W Y O R K

5298

2015-2016 Regular Sessions

I N A S S E M B L Y

February 17, 2015

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:

Section 1. The public health law is amended by adding a new section 2807-mm to read as follows:

S 2807-MM. RESIDENT PROGRAM INITIATIVE TO SERVICE MEDICALLY UNDERSERVED AREAS. 1. THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A RESIDENCY PROGRAM INITIATIVE FOR PHYSICIANS WHO AGREE TO WORK IN MEDICALLY UNDERSERVED AREAS IN NEW YORK STATE AS DESIGNATED BY THE COMMISSIONER AS HAVING A SHORTAGE OF PHYSICIANS IN CERTAIN AREAS. THIS INITIATIVE WILL FUND FIFTY RESIDENCY POSITIONS.

2. THE PHYSICIAN APPLICANT MUST:

(A) COMPLETE A RESIDENCY PROGRAM INITIATIVE APPLICATION, AS DEVELOPED BY THE DEPARTMENT; AND

(B) HAVE ENTERED THE NATIONAL RESIDENT MATCHING PROGRAM AND HAVE FAILED TO MATCH; AND

(C) BE A RESIDENT OF NEW YORK STATE; AND

(D) HAVE GRADUATED FROM A NEW YORK STATE ACCREDITED MEDICAL SCHOOL AND HAVE PASSED THE UNITED STATES MEDICAL LICENSING EXAMINATION STEPS 1 AND 2; OR

(E) BE CERTIFIED BY THE EDUCATION COMMISSION FOR FOREIGN MEDICAL GRADUATES.

3. NEW YORK STATE ACCREDITED RESIDENCY PROGRAMS MUST COMPLETE A RESIDENCY PROGRAM PARTICIPATION APPLICATION, AS DEVELOPED BY THE DEPARTMENT.

4. IN ORDER FOR A NEW YORK STATE ACCREDITED RESIDENCY PROGRAM TO BE APPROVED IT MUST BE EITHER A TEACHING HOSPITAL OR HAVE TEACHING HOSPITAL OVERSIGHT AND BE LICENSED BY THE DEPARTMENT.

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

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5. RESIDENCY POSITIONS FUNDED UNDER THIS PROGRAM SHALL BE AWARDED TO INTERESTED HOSPITALS ON A COMPETITIVE BASIS PURSUANT TO A REQUEST FOR PROPOSAL OR REQUEST FOR APPLICATION PROCESS.

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

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

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

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