

3020

2015-2016 Regular Sessions

I N S E N A T E

February 2, 2015

Introduced by Sens. YOUNG, AVELLA, GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

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-
18 teen, shall be set aside and reserved by the commissioner from the
19 regional pools established pursuant to subdivision two of this section
20 and shall be available for purposes of physician AND/OR DENTIST loan
21 repayment in accordance with subdivision ten of this section. Notwith-
22 standing any contrary provision of this section, sections one hundred
23 twelve and one hundred sixty-three of the state finance law, or any
24 other contrary provision of law, such funding shall be allocated

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

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

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

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

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

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

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

48 (ii) After distributions in accordance with subparagraph (i) of this
49 paragraph, all remaining funds shall be awarded to physicians AND/OR
50 DENTISTS to support the cost of establishing or joining practices in
51 underserved communities, as determined by the commissioner, and to
52 hospitals and other health care providers to recruit new physicians
53 AND/OR DENTISTS to provide services in underserved communities, as
54 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 AND/OR DENTIST'S office that primarily serves an underserved population as determined by the commissioner, without regard to whether the population or the facility or physician's AND/OR DENTIST'S office is located 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 3. This act shall take effect immediately.