

STATE OF NEW YORK

7429

2017-2018 Regular Sessions

IN ASSEMBLY

April 25, 2017

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law, in relation to creating the veterinarians across rural New York state student loan repayment fund

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new article
2 29-H to read as follows:

ARTICLE 29-H

VETERINARIANS ACROSS RURAL NEW YORK STATE STUDENT LOAN REPAYMENT FUND

3 Section 2999-gg. Creation of fund and cooperating agencies.

4 2999-hh. Administration of funds.

5 2999-ii. Administration agreement.

6 2999-jj. Responsibilities upon effective date of agreement.

7 2999-kk. Documentation.

8 2999-ll. Participating professionals.

9 2999-mm. Compensation.

10 2999-nn. Continued qualification.

11 2999-oo. Payment cap adjustments.

12 2999-pp. Conditions barring participation.

13 2999-qq. Minimum qualifications for participation.

14 2999-rr. Application criteria.

15 2999-ss. Payments and default.

16 § 2999-gg. Creation of fund and cooperating agencies. The department,
17 within amounts appropriated, shall establish the veterinarians across
18 rural New York state student loan repayment fund, in association with
19 the empire state development corporation and the office of the
20 professions. Funds shall be transferred by the commissioner of taxation
21 and finance to the department for use as described herein. Similar
22 existing programs, if any, shall be altered or eliminated to accommodate
23 and complement the program described herein.
24
25

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

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1 § 2999-hh. Administration of funds. Monies in the fund shall be:

2 1. held by the department pursuant to this article as custodian,
3 pursuant to an agreement with the commissioner of taxation and finance,
4 the office of the professions, and the empire state development corpo-
5 ration, until transferred pursuant to this article; and

6 2. invested by the department in accordance with the investment guide-
7 lines of the comptroller during said custodial period. All investment
8 income shall be credited to, and shall be deposited in such fund.

9 § 2999-ii. Administration agreement. The commissioner of taxation and
10 finance, the office of the professions, the empire state development
11 corporation, and the department shall enter into an agreement, subject
12 to the approval of the director of the budget, for the purpose of admin-
13 istering the fund. A copy of such agreement, and any amendments thereto,
14 shall be provided to the chair of the senate finance committee, the
15 director of the division of budget, and the chair of the assembly ways
16 and means committee. The agreement shall specify that the department
17 shall administer the fund in a manner that will benefit the public by
18 encouraging the availability of professional service providers, in
19 compliance with all applicable laws, rules, regulations and other
20 requirements.

21 § 2999-jj. Responsibilities upon effective date of agreement. Upon the
22 effective date of the agreement, custody of, and responsibility for, the
23 fund shall be taken up by the department, subject to the requirements of
24 its agreement with the commissioner of taxation and finance and the
25 empire state development corporation. Such agreement shall include, but
26 not be limited to, the following provisions:

27 1. the department shall be responsible for the receipt, management and
28 expenditure of monies held in the fund;

29 2. the department shall maintain books and records pertaining to all
30 monies received and disbursed pursuant to this section and the agree-
31 ment;

32 3. monies in such fund shall be utilized for the purpose of providing
33 student loan repayment funding to qualifying professionals;

34 4. participating professionals shall be chosen by the department
35 through an application process approved by the department, the empire
36 state development corporation, and the comptroller;

37 5. the department shall report quarterly on transactions pertaining to
38 the fund in a form and manner specified by the comptroller in consulta-
39 tion with the commissioner of taxation and finance, and the empire state
40 development corporation, including but not limited to: receipts or
41 deposits to the fund, disbursements, loans or credit enhancement made
42 from the fund, investment income, and the balance on hand as of the end
43 of the month for each such quarter;

44 6. the department shall be required to invest monies on deposit in the
45 fund in accordance with investment guidelines meeting the requirements
46 of the comptroller, and all investment income shall be credited to the
47 fund, and spent therefrom only for the purposes set forth in this
48 section;

49 7. fund monies shall be held in trust and used for the benefit of
50 participating professionals; and

51 8. any other term or condition as determined by the department, in
52 consultation with the commissioner of taxation and finance and the
53 empire state development corporation.

54 § 2999-kk. Documentation. Payments from the fund shall be made pursu-
55 ant to a written agreement between the department and the participating
56 professional, specifying the terms of the payments. The agreement shall

1 be in such form and content as shall be acceptable to the comptroller
2 and department, and may include such further written documentation
3 and/or agreements as shall be required in the judgment of the comp-
4 troller and department. Terms may include rescission of payments if a
5 participating professional does not comply with this section or the
6 terms of the participating professional's agreement with the department.

7 § 2999-ll. Participating professionals. The following professionals
8 shall be eligible to receive the benefits of this fund:

9 1. veterinarians, provided they make a two year commitment to practice
10 in a tract or county defined by the health resources and services admin-
11 istration as being "rural" or eligible for a rural health grant;

12 2. veterinarians whose practice is at least fifty percent equine,
13 provided they make a two year commitment to practice in a tract or coun-
14 ty defined by the health resources and services administration as being
15 "rural" or eligible for a rural health grant;

16 3. veterinarians whose practice is at least fifty percent beef cattle,
17 provided they make a two year commitment to practice in a tract or coun-
18 ty defined by the health resources and services administration as being
19 "rural" or eligible for a rural health grant;

20 4. veterinarians whose practice is at least fifty percent dairy
21 animals, including goats, provided they make a two year commitment to
22 practice in a tract or county defined by the health resources and
23 services administration as being "rural" or eligible for a rural health
24 grant; and

25 5. veterinarians whose practice is at least fifty percent swine,
26 provided they make a two year commitment to practice in a tract or coun-
27 ty defined by the health resources and services administration as being
28 "rural" or eligible for a rural health grant.

29 § 2999-mm. Compensation. Participating professionals shall be compen-
30 sated in the form of payments against their student loans made in the
31 following amounts:

32 1. fifty percent of total qualifying debt annually, up to a maximum
33 annual amount of ten thousand dollars, for professionals listed in
34 subdivision one of section twenty-nine hundred ninety-nine-ll of this
35 article;

36 2. fifty percent of total qualifying debt annually, up to a maximum
37 annual amount of fourteen thousand dollars, for professionals listed in
38 subdivision two of section twenty-nine hundred ninety-nine-ll of this
39 article;

40 3. fifty percent of total qualifying debt annually, up to a maximum
41 annual amount of fourteen thousand dollars, for professionals listed in
42 subdivision three of section twenty-nine hundred ninety-nine-ll of this
43 article;

44 4. fifty percent of total qualifying debt annually, up to a maximum
45 annual amount of fourteen thousand dollars, for professionals listed in
46 subdivision four of section twenty-nine hundred ninety-nine-ll of this
47 article; and

48 5. fifty percent of total qualifying debt annually, up to a maximum
49 annual amount of fourteen thousand dollars, for professionals listed in
50 subdivision five of section twenty-nine hundred ninety-nine-ll of this
51 article.

52 § 2999-nn. Continued qualification. Provided that a professional
53 continues to qualify for this program after two years, then loan payment
54 amounts will be the balance of any qualifying debt up to the maximum
55 amounts listed in section twenty-nine hundred ninety-nine-mm of this
56 article.

1 § 2999-oo. Payment cap adjustments. Participating professionals with
2 demonstrable training or skill in any of the following areas, will have
3 the maximum annual payment amount raised by two thousand dollars:

- 4 1. anesthesia;
- 5 2. animal welfare;
- 6 3. animal behavior;
- 7 4. dentistry;
- 8 5. dermatology;
- 9 6. emergency or critical care;
- 10 7. internal medicine, particularly cardiology, neurology, or oncology;
- 11 8. laboratory animal medicine;
- 12 9. microbiology;
- 13 10. nutrition, provided that training is in excess of that received as
14 part of the professional's initial degree or degree in veterinary medi-
15 cine;
- 16 11. ophthalmology;
- 17 12. pathology;
- 18 13. pharmacology;
- 19 14. the care of poultry;
- 20 15. preventative medicine and biosecurity;
- 21 16. radiology;
- 22 17. sports medicine and rehabilitation;
- 23 18. surgery, particularly orthopedics or soft tissue;
- 24 19. theriogenology; or
- 25 20. toxicology.

26 § 2999-pp. Conditions barring participation. Participating profes-
27 sionals must not:

- 28 1. have any outstanding service obligations to the federal government,
29 state, or other entity; or
- 30 2. have any judgment liens arising from federal or state debt, and
31 must not be delinquent in child support payments.

32 § 2999-qq. Minimum qualifications for participation. Participating
33 professionals must possess a fully-executed employment contract, or must
34 be able to submit sufficient evidence of intent to establish a private
35 practice and subsequently do so, and must possess all licenses required
36 to practice their chosen profession in the state of New York. Partic-
37 ipating professionals must also be a United States citizen or permanent
38 resident, and become a legal resident of New York state within ninety
39 days of beginning employment.

40 § 2999-rr. Application criteria. The agencies involved in this program
41 may establish additional application criteria at their discretion,
42 provided that such criteria does not narrow the availability of funds or
43 conflict with the intent of this article. Additional criteria such as
44 those used in section 4.3 of the primary care service corps may not be
45 applied to this program.

46 § 2999-ss. Payments and default. Total annual payments shall be
47 disbursed in equal amounts on a monthly basis. 1. In the event of
48 default by a participating professional, within one year of defaulting
49 the participating professional shall repay the state of New York the
50 greater of either thirty-one thousand dollars, or the value of the past
51 seven months of loan payments made by the state on behalf of the partic-
52 ipating professional. The outstanding balance after one year shall
53 accrue interest at a rate equal to that owed on underpayments of New
54 York state income tax. Uncollectable amounts will be referred to the New
55 York state attorney general's office for possible legal action.

1 2. Where default results from an action made by the department the
2 participating professional will not be penalized.

3 § 2. This act shall take effect on the ninetieth day after it shall
4 have become a law; provided however, that effective immediately, the
5 addition, amendment and/or repeal of any rule or regulation necessary
6 for the implementation of this act on its effective date are authorized
7 to be made and completed on or before such effective date.