

# STATE OF NEW YORK

6257

2017-2018 Regular Sessions

## IN SENATE

May 11, 2017

Introduced by Sen. HANNON -- 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 establishing a physician loan forgiveness program for geriatric medicine

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 10  
2 to read as follows:

### ARTICLE 10

#### PHYSICIAN LOAN FORGIVENESS

##### PROGRAM

6 Section 1001. Physician loan forgiveness program for geriatric medicine.

7 § 1001. Physician loan forgiveness program for geriatric medicine. 1.  
8 Physician loan forgiveness awards shall be issued annually to physicians  
9 who agree to practice in the specialty of geriatric medicine as defined  
10 by the commissioner, in consultation with the director of the office for  
11 the aging.

12 2. Such participating physicians shall receive an educational loan  
13 forgiveness award of up to fifteen thousand dollars per year for a maxi-  
14 mum of five years. The commissioner shall promulgate rules and regu-  
15 lations to administer such loan forgiveness program.

16 3. The physician applicant must be a resident of the state, licensed  
17 to practice medicine, and certified in the practice of geriatric medi-  
18 cine or have a concentration in that specialty. The applicant must have  
19 completed a professional residency program within the five years imme-  
20 diately preceding the period for which the first award would be granted,  
21 or be within two years of completion of an accredited residency program  
22 in geriatric medicine. The applicant must agree to practice medicine  
23 within the state.

24 4. The commissioner shall establish criteria for the selection of  
25 participants in the program. A priority shall be accorded to any appli-

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

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1 cant who is completing a year of the service requirement and is re-ap-  
2 plying for a new award. The commissioner shall verify the physician's  
3 eligibility and the physician's total medical educational loan expenses.

4 5. Within such time as the commissioner shall by regulation provide, a  
5 participating physician shall have agreed to practice geriatric medicine  
6 for a period of twelve months for each annual payment to be received by  
7 the participant. In no case shall the total service required be less  
8 than two years nor be more than five years.

9 6. The commissioner shall develop and secure from each participant, a  
10 written agreement to:

11 (a) practice geriatric medicine;  
12 (b) accept Medicare and Medicaid payments; and  
13 (c) provide at least thirty-five hours per week of direct patient care  
14 in the area being served.

15 If a recipient fails to comply fully with such conditions, the commis-  
16 sioner shall be entitled to receive from such participant reimbursement  
17 of such award in an amount to be determined by the commissioner. Any  
18 amount which the commissioner is entitled to recover under this subdivi-  
19 sion shall be paid within the five-year period beginning on the date  
20 that the participant failed to comply with the program criteria. Nothing  
21 in a written agreement under this section shall affect the terms of  
22 employment of the individual who shall negotiate, separate and apart  
23 from the program, his or her salary and other forms of employment with  
24 an agency, practice, institution or program in which he or she shall be  
25 employed.

26 7. Any obligation to comply with the provisions of this section shall  
27 be cancelled upon the death of the participant. The commissioner shall  
28 promulgate regulations to provide for the waiver or suspension of any  
29 financial obligation which would involve extreme hardship.

30 8. A participant of the program shall report annually to the depart-  
31 ment on forms prescribed by the commissioner, as to the performance of  
32 the required services, commencing with the calendar year in which the  
33 participant begins to practice geriatric medicine and continuing until  
34 the recipient shall have completed, or it is determined that he or she  
35 shall not be obligated to complete, the program. The commissioner shall  
36 have the discretion to waive the filing of a report, excuse a delay in  
37 filing or a failure to file a report for good cause shown.

38 9. Participation in the program shall not prevent participants from  
39 being eligible to apply for other programs or awards.

40 10. The commissioner shall promulgate rules and regulations necessary  
41 to implement the provisions of this section.

42 § 2. This act shall take effect on the one hundred eightieth day after  
43 it shall have become a law; provided, however, that effective immediate-  
44 ly, the addition, amendment and/or repeal of any rule or regulation  
45 necessary for the implementation of this act on its effective date are  
46 authorized and directed to be made and completed on or before such  
47 effective date.