

# STATE OF NEW YORK

4084--A

2021-2022 Regular Sessions

## IN SENATE

February 2, 2021

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

### ARTICLE 29-K

#### VETERINARIANS ACROSS RURAL NEW YORK STATE STUDENT LOAN REPAYMENT FUND

##### Section 2999-ii. Creation of fund and cooperating agencies.

2999-ij. Administration of funds.

2999-ik. Administration agreement.

2999-il. Responsibilities upon effective date of agreement.

2999-im. Documentation.

2999-in. Participating professionals.

2999-io. Compensation.

2999-ip. Continued qualification.

2999-iq. Payment cap adjustments.

2999-ir. Conditions barring participation.

2999-is. Minimum qualifications for participation.

2999-it. Application criteria.

2999-iu. Payments and default.

§ 2999-ii. Creation of fund and cooperating agencies. The department, within amounts appropriated, shall establish the veterinarians across rural New York state student loan repayment fund, in association with the empire state development corporation and the office of the professions. Funds shall be transferred by the commissioner of taxation

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

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1 and finance to the department for use as described herein. Similar  
2 existing programs, if any, shall be altered or eliminated to accommodate  
3 and complement the program described herein.

4 § 2999-jj. Administration of funds. Monies in the fund shall be:

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

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

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

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

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

32 2. the department shall maintain books and records pertaining to all  
33 monies received and disbursed pursuant to this section and the agree-  
34 ment;

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

37 4. participating professionals shall be chosen by the department  
38 through an application process approved by the department, the empire  
39 state development corporation, and the comptroller;

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

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

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

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

1     § 2999-mm. Documentation. Payments from the fund shall be made pursu-  
2 ant to a written agreement between the department and the participating  
3 professional, specifying the terms of the payments. The agreement shall  
4 be in such form and content as shall be acceptable to the comptroller  
5 and department, and may include such further written documentation  
6 and/or agreements as shall be required in the judgment of the comp-  
7 troller and department. Terms may include rescission of payments if a  
8 participating professional does not comply with this section or the  
9 terms of the participating professional's agreement with the department.

10    § 2999-nn. Participating professionals. The following professionals  
11 shall be eligible to receive the benefits of this fund:

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

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

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

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

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

32    § 2999-oo. Compensation. Participating professionals shall be compen-  
33 sated in the form of payments against their student loans made in the  
34 following amounts:

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

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

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

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

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

55    § 2999-pp. Continued qualification. Provided that a professional  
56 continues to qualify for this program after two years, then loan payment

1 amounts will be the balance of any qualifying debt up to the maximum  
2 amounts listed in section twenty-nine hundred ninety-nine-oo of this  
3 article.

4 § 2999-gg. Payment cap adjustments. Participating professionals with  
5 demonstrable training or skill in any of the following areas, will have  
6 the maximum annual payment amount raised by two thousand dollars:

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

29 § 2999-rr. Conditions barring participation. Participating profes-  
30 sionals must not:

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

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

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

49 § 2999-uu. Payments and default. Total annual payments shall be  
50 disbursed in equal amounts on a monthly basis. 1. In the event of  
51 default by a participating professional, within one year of defaulting  
52 the participating professional shall repay the state of New York the  
53 greater of either thirty-one thousand dollars, or the value of the past  
54 seven months of loan payments made by the state on behalf of the partic-  
55 ipating professional. The outstanding balance after one year shall  
56 accrue interest at a rate equal to that owed on underpayments of New

York state income tax. Uncollectable amounts will be referred to the New York state attorney general's office for possible legal action.

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

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