STATE OF NEW YORK

10638

IN ASSEMBLY

June 20, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Woerner) -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to providing for dentist loan repayment and practice support

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

Section 1. Subdivision 5-a of section 2807-m of the public health law is amended by adding two new paragraphs (c-1) and (d-1) to read as follows:

(c-1) Dentist loan repayment program. Up to one million two hundred thousand dollars each state fiscal year for the period April first, two thousand twenty-four through March thirty-first, two thousand twenty-seven, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available for purposes of dentist loan repayment in accordance with subdivision ten-a of this section. Notwithstanding any contrary provision of this section, sections one hundred twelve and one hundred sixty-three of the state finance law, or any other contrary provision of law, such funding shall be allocated regionally with one-third of available funds going to New York city and two-thirds of available funds going to the rest of the state and shall be distributed in a manner to be determined by the commissioner without a competitive bid or request for proposal process as follows:

(i) Funding shall first be awarded to repay loans of up to eight dentists who train in general or pediatric dentistry in teaching general hospitals, including in community clinic settings owned by or affiliated with such hospitals, and who enter and remain in general or pediatric dentistry practices in underserved communities, as determined by the commissioner.

(ii) After distributions in accordance with subparagraph (i) of this paragraph, all remaining funds shall be awarded to repay loans of dentists who enter and remain in general or pediatric dentistry practices in underserved communities, as determined by the commissioner,

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

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including but not limited to dentists working in general hospitals, other health care facilities or qualified private practices.

(iii) In no case shall less than fifty percent of the funds available pursuant to this paragraph be distributed in accordance with subparagraphs (i) and (ii) of this paragraph to dentists identified by general hospitals.

(d-1) Dentist practice support. Up to three million dollars for each fiscal year for the period April first, two thousand twenty-four through March thirty-first, two thousand twenty-seven, shall be set aside and reserved by the commissioner from the regional pools established pursuant to subdivision two of this section and shall be available for purposes of dentist practice support. Notwithstanding any contrary provision of this section, sections one hundred twelve and one hundred sixty-three of the state finance law, or any other contrary provision of law, such funding shall be allocated regionally with one-third of available funds going to New York city and two-thirds of available funds going to the rest of the state and shall be distributed in a manner to be determined by the commissioner without a competitive bid or request for proposal process as follows:

(i) Preference in funding eight awards, to support costs incurred by dentists trained in general or pediatric dentistry in teaching general hospitals, including in community clinic settings owned by or affiliated with such hospitals, who thereafter establish or join practices in underserved communities, as determined by the commissioner.

(ii) After distributions in accordance with subparagraph (i) of this paragraph, all remaining funds shall be awarded to dentists to support the cost of establishing or joining practices in underserved communities, as determined by the commissioner, and to hospitals and other health care providers to recruit new dentists to provide services in underserved communities, as 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.

§ 2. Section 2807-m of the public health law is amended by adding two new subdivisions 10-a and 13 to read as follows:

10-a. Dentist loan repayment program. (a) Beginning April first, two thousand twenty-four, the commissioner is authorized, within amounts available pursuant to subdivision five-a of this section, to make loan repayment awards to general or pediatric dentists or other dentistry specialties determined by the commissioner to be in short supply, licensed to practice dentistry in New York state, who agree to practice for at least three years in an underserved area, as determined by the commissioner.

(b) Loan repayment awards made to a dentist pursuant to paragraph (a) of this subdivision shall not exceed the total qualifying outstanding debt of the 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 three-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 dentist is not actually practicing in an underserved area, such dentist shall be deemed to be practicing in an underserved area if such dentist practices in a facility 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 dentist's office is located in an underserved area.

(ii) In making criteria and determinations as to whether an area is an underserved area or whether a facility or dentist's office primarily serves an underserved population, the commissioner may make separate criteria and determinations for different specialties.

13. Notwithstanding any provision of law to the contrary, applications submitted for the dentist loan repayment program pursuant to paragraph (c-1) of subdivision five-a of this section and subdivision ten-a of this section or the dentist practice support program pursuant to paragraph (d-1) of subdivision five-a of this section, shall be subject to the following:

(a) Awards shall be made from the total funding available for new awards under the dentist loan repayment program and the dentist practice support program, with neither program limited to a specific funding amount within such total funding available;

(b) An applicant may apply for an award for either dentist loan repayment or dentist practice support, but not both;

(c) An applicant shall either: (i) agree to practice for three years in an underserved area and each award shall provide up to fifty thousand dollars for each of the three years; or (ii) agree to practice as a dentist engaged in private practice in an underserved area and each award shall provide up to seventy thousand dollars for each of the three years; and

(d) To the extent practicable, awards shall be timed to be of use for job offers made to applicants.

§ 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2024.