*** § 233. New York state health service corps scholarship and fellowship program.** 1. (a) New York state health service corps scholarships and fellowships for health corps professionals shall be awarded, within amounts appropriated, on a competitive basis, as determined by the commissioner, to students who: (i) are or will be enrolled in a program of undergraduate or graduate study to become a health care professional eligible to participate in the health service corps; and

(ii) agree to serve in eligible institutions or facilities upon satisfactory completion of their studies and upon satisfaction of applicable licensing and certification requirements; and

(iii) meet such other requirements as the commissioner, in consultation with the commissioners of education, correctional services, mental health, mental retardation and developmental disabilities, the commission for the blind and visually handicapped and the president of the civil service commission, may establish.

(b) In selecting students to be awarded such scholarships or fellowships, preference shall be given to students in the following order: (i) New York state residents who attend or plan to attend a program of undergraduate or graduate study located in New York state; (ii) New York state residents who attend or plan to attend a program of undergraduate or graduate study located out-of-state; and (iii) persons who are not residents of New York state who attend or plan to attend a program of undergraduate or graduate study located in New York state.

(c) The commissioner shall, pursuant to agreement with the appropriate agency, allocate, to the extent possible, the placement of award recipients to each catchment area or region, as defined by such agency, in which an eligible institution or facility is located.

2. Within such time as the commissioner shall by regulation provide, a recipient of an award shall have practiced as a health corps professional in an eligible institution or facility for that number of months calculated by multiplying by eighteen the number of annual awards received by the recipient. If a recipient fails to comply fully with such conditions, the president shall be entitled to receive from such recipient an amount to be determined by the formula:

$$A = 2B(T-S)$$

t

In which "A" is the amount the president is entitled to recover; "B" is the sum of all payments made to the recipient and the interest on such amount which would be payable if at the times such awards were paid they were loans bearing interest at the maximum prevailing rate; "t" is the total number of months in the recipient's period of obligated services; and "s" is the number of months of service actually rendered by the recipient. Any amount which the president is entitled to recover under this subdivision shall be paid within the five-year period beginning on the date that the recipient failed to comply with this condition. Any obligation to comply with such provisions shall be cancelled upon the death of the recipient. The commissioner of health shall promulgate regulations to provide for the waiver or suspension of any financial obligation when compliance would involve extreme hardship.

3. A recipient of an award shall report semi-annually to the president, on forms prescribed by him, as to the performance of the required services or the recipient's current status, commencing with the calendar year of the first award and continuing until the recipient shall have completed, or until it is determined he or she shall not be obligated to complete, the required services. The president may also require the recipient to file a report on his or her current status prior to completion of professional training during any calendar year in which an application for an additional award is not filed. The president shall make available any reports required hereunder to the commissioner. If the recipient shall fail to file any report required hereunder within thirty days of written notice to the recipient, mailed to the address shown on the last application for an award or last report filed, whichever is later, the president may impose a fine of up to one thousand dollars. The president shall have the discretion to waive the filing of a report, excuse a delay in filing, or a failure to file a report, or waive or reduce any fine imposed for good cause shown.

* NB Expired July 18, 1996