

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1396**

Introduced by

Representatives Sukut, Damschen, Fehr, Hatlestad, Lefor, Rohr

Senator Bekkedahl

1 A BILL for an Act to provide student loan repayment programs for health care professionals; to
2 repeal chapters 43-12.2 and 43-17.2 of the North Dakota Century Code, relating to student loan
3 repayment programs for health care professionals; to provide for a continuing appropriation;
4 and to provide for an application.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.**

7 **Student loan repayment programs - Health care professionals.**

8 The health council shall administer student loan repayment programs, as established by
9 this chapter, for healthcare professionals willing to provide services in areas of this state that
10 have a defined need for such services.

11 **SECTION 2.**

12 **Application process.**

13 The health council shall develop an application process for public and private entities
14 seeking to fill health care needs and for healthcare professionals willing to provide necessary
15 services, including providing medical behavioral health services via telecommunication and
16 information technologies, in exchange for benefits under a student loan repayment program.

17 **SECTION 3.**

18 **Public and private entities - Selection criteria - Matching funds.**

- 19 1. The health council shall establish criteria to be used in selecting public and private
20 entities for participation in a program. The criteria must include:
- 21 a. The number of healthcare professionals, by specified field, already providing
22 services in the area;
 - 23 b. Access to healthcare services in the area; and
 - 24 c. The level of support from the area.

- 1 2. The health council may consult with health care and social service providers,
2 advocacy groups, governmental entities, and others, in establishing criteria and
3 evaluating needs based on the criteria.
- 4 3. An entity may not be selected for participation unless it contractually commits to
5 provide matching funds equal to the amount required for a loan repayment program in
6 accordance with section 6 of this Act.

7 **SECTION 4.**

8 **Public and private entities - Eligibility for participation - Priority.**

9 In selecting public and private entities for participation in a program, the health council shall
10 give priority to entities that:

- 11 1. Meet the selection criteria; and
- 12 2. Are located in or able to provide telemedicine services to areas that are:
- 13 a. Statistically underserved; and
- 14 b. Located outside of a metropolitan statistical area.

15 **SECTION 5.**

16 **Healthcare professionals - Selection criteria.**

- 17 1. The health council shall establish criteria to be used in selecting healthcare
18 professionals for participation in a student loan repayment program. The criteria must
19 include:
- 20 a. The healthcare professional's specialty;
- 21 b. The need for the healthcare professional's specialty within an area;
- 22 c. The healthcare professional's education and experience;
- 23 d. The health care professional's date of availability and anticipated term of
24 availability; and
- 25 e. The health care professional's willingness to accept medicare and Medicaid
26 assignments, if applicable.
- 27 2. In selecting health care professionals for participation in a program, the health council
28 may consider an individual's:
- 29 a. Length of residency in this state; and
- 30 b. Attendance at an in-state or an out-of-state institution of higher education.

31 **SECTION 6.**

1 **Student loan repayment program - Contract.**

2 1. The health council shall enter into a contract with a selected health care professional.
3 The health council shall agree to provide student loan repayments on behalf of the
4 selected health care professional subject to the requirements and limitations of this
5 section.

6 a. For a physician:

7 (1) The loan repayment must be equal to twenty thousand dollars per year; and

8 (2) The matching funds must equal fifty percent of the amount required in
9 paragraph 1.

10 b. For a clinical psychologist:

11 (1) The loan repayment must be equal to twelve thousand dollars per year; and

12 (2) The matching funds must equal twenty-five percent of the amount required
13 in paragraph 1.

14 c. For an advanced practice registered nurse or a physician assistant:

15 (1) The loan repayment must be equal to four thousand dollars per year; and

16 (2) The matching funds must equal ten percent of the amount required in
17 paragraph 1.

18 d. (1) For a behavioral health professional:

19 (a) The loan repayment must be equal to four thousand dollars per year;
20 and

21 (b) The matching funds must equal ten percent of the amount required in
22 paragraph 1.

23 (2) For purposes of this subdivision, a behavioral health professional means an
24 individual who practices in the behavioral health field and is:

25 (a) A licensed addiction counselor;

26 (b) A licensed professional counselor;

27 (c) A licensed social worker;

28 (d) A registered nurse; or

29 (e) A specialty practice registered nurse.

- 1 2. a. Payments under this section must be made on behalf of the health care
2 professional directly to the Bank of North Dakota or to another participating
3 lending institution.
- 4 b. Except as otherwise provided, payments under this section may be made only at
5 the conclusion of each twelve month period of service.
- 6 c. Prorated payments may be made only if:
- 7 (1) The repayment of the loan requires less than a full annual payment;
8 (2) The health care professional is terminated or resigns from his or her
9 position; or
- 10 (3) The health care professional is unable to complete a twelve month period of
11 service due to the individual's death, a certifiable medical condition or
12 disability, or a call to military service.
- 13 3. Payments under this section terminate upon the earlier of:
- 14 a. The full repayment of the health care professional's student loan; or
- 15 b. The completion of five years as a participant in the student loan repayment
16 program.

17 **SECTION 7.**

18 **Powers of the health council - Continuing appropriation.**

- 19 1. The health council may:
- 20 a. Receive and expend any gifts, grants, and other funds for the purposes of this
21 program;
- 22 b. Participate in any federal programs providing for the repayment of student loans
23 on behalf of health care professionals; and
- 24 c. Do all things necessary and proper for the administration of this chapter.
- 25 2. All moneys received by the health council under this section are appropriated to the
26 health council on a continuing basis, to be used exclusively for the purposes of this
27 Act.

28 **SECTION 8. REPEAL.** Chapters 43-12.2 and 43-17.2 of the North Dakota Century Code
29 are repealed.

30 **SECTION 9. APPLICATION.** This Act applies to loan repayment contracts entered into on
31 or after August 1, 2015. Any loan repayment contract entered into before August 1, 2015, in

Sixty-fourth
Legislative Assembly

- 1 accordance with chapter 43-12.2, is governed by chapter 43-12.2, as it existed on July 31,
- 2 2015. Any loan repayment contract entered into before August 1, 2015, in accordance with
- 3 chapter 43-17.2, is governed by chapter 43-17.2, as it existed on July 31, 2015.