

FIRST REGULAR SESSION

HOUSE BILL NO. 366

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PROUDIE.

1060H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 191.600, 191.603, 191.605, 191.607, and 191.614, RSMo, and to enact in lieu thereof five new sections relating to the health professional student loan repayment program.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 191.600, 191.603, 191.605, 191.607, and 191.614, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 191.600, 191.603, 191.605, 191.607, and 191.614, to read as follows:

191.600. 1. Sections 191.600 to 191.615 establish a loan repayment program for ~~[graduates of approved medical schools, schools of osteopathic medicine, schools of dentistry and accredited chiropractic colleges]~~ **primary care physicians, psychiatrists, general dentists, chiropractors, psychologists, professional counselors, clinical social workers, and marital and family therapists** who practice in areas of defined need and shall be known as the "Health Professional Student Loan Repayment Program". Sections 191.600 to 191.615 shall apply to ~~[graduates of accredited chiropractic colleges]~~ **chiropractors** when federal guidelines for chiropractic shortage areas are developed.

2. The "Health Professional Student Loan and Loan Repayment Program Fund" is hereby created in the state treasury. All funds recovered from an individual pursuant to section 191.614 and all funds generated by loan repayments and penalties received pursuant to section 191.540 shall be credited to the fund. The moneys in the fund shall be used by the department of health and senior services to provide loan repayments pursuant to section 191.611 in accordance with sections 191.600 to 191.614 and to provide loans pursuant to sections 191.500 to 191.550.

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

191.603. As used in sections 191.600 to 191.615, the following terms shall mean:

- 2 (1) "Areas of defined need", areas designated by the department pursuant to section
 3 191.605, when services of a **primary care** physician, including a psychiatrist, chiropractor, or
 4 **general dentist, or services of a psychologist, professional counselor, clinical social**
 5 **worker, or marital and family therapist** are needed to improve the patient-health
 6 professional ratio in the area, to contribute health care professional services to an area of
 7 economic impact, or to contribute health care professional services to an area suffering from
 8 the effects of a natural disaster;
- 9 (2) "Chiropractor", a person licensed and registered pursuant to chapter 331;
- 10 (3) "**Clinical social worker**", a person licensed as a **clinical social worker under**
 11 **chapter 337**;
- 12 (4) "Department", the department of health and senior services;
- 13 [~~4~~] (5) "General dentist", dentists licensed and registered pursuant to chapter 332
 14 engaged in general dentistry and who are providing such services to the general population;
- 15 [~~5~~] (6) "**Marital and family therapist**", a person licensed as a **marital and**
 16 **family therapist under chapter 337**;
- 17 (7) "Primary care physician", physicians licensed and registered pursuant to chapter
 18 334 engaged in general or family practice, internal medicine, pediatrics or obstetrics and
 19 gynecology as their primary specialties, and who are providing such primary care services to
 20 the general population;
- 21 [~~6~~] (8) "**Professional counselor**", a person licensed as a **professional counselor**
 22 **under chapter 337**;
- 23 (9) "Psychiatrist", the same meaning as in section 632.005;
- 24 (10) "**Psychologist**", a person licensed and registered as a **psychologist under**
 25 **chapter 337**.

191.605. The department shall designate counties, communities, or sections of urban
 2 areas as areas of defined need for medical, psychiatric, **mental health**, chiropractic, or dental
 3 services when such county, community or section of an urban area has been designated as a
 4 primary care health professional shortage area, a mental health care professional shortage
 5 area, or a dental health care professional shortage area by the federal Department of Health
 6 and Human Services, or has been determined by the director of the department of health and
 7 senior services to have an extraordinary need for health care professional services, without a
 8 corresponding supply of such professionals.

191.607. The department shall adopt and promulgate regulations establishing
 2 standards for determining eligible persons for loan repayment pursuant to sections 191.600 to
 3 191.615 **and requirements for eligible persons to participate in the loan repayment**

4 **program.** These standards **and requirements** shall include, but are not limited to the
5 following:

6 (1) Citizenship or permanent residency in the United States;

7 (2) Residence in the state of Missouri;

8 (3) **Demonstration of one of the following:**

9 (a) Enrollment as a full-time medical student in the final year of a course of study
10 offered by an approved educational institution or ~~[licensed]~~ **a license** to practice medicine or
11 osteopathy pursuant to chapter 334, including psychiatrists;

12 ~~[(4)]~~ (b) Enrollment as a full-time dental student in the final year of course study
13 offered by an approved educational institution or ~~[licensed]~~ **a license** to practice general
14 dentistry pursuant to chapter 332;

15 ~~[(5)]~~ (c) Enrollment as a full-time chiropractic student in the final year of course
16 study offered by an approved educational institution or ~~[licensed]~~ **a license** to practice
17 chiropractic medicine pursuant to chapter 331;

18 ~~[(6)]~~ (d) **Enrollment as a full-time psychology student in the final year of course**
19 **study offered by an approved educational institution or a license to engage in the**
20 **practice of psychology under chapter 337;**

21 (e) **Enrollment as a full-time counseling student in the final year of course study**
22 **offered by an approved educational institution or a license to engage in the practice of**
23 **professional counseling under chapter 337;**

24 (f) **Enrollment as a full-time clinical social work student in the final year of**
25 **course study offered by an approved educational institution or a license to engage in the**
26 **practice of clinical social work under chapter 337; or**

27 (g) **Enrollment as a full-time marital and family therapy student in the final year**
28 **of course study offered by an approved educational institution or a license to engage in**
29 **the practice of marital and family therapy under chapter 337; and**

30 (4) **Submission of an application for loan repayment.**

191.614. 1. An individual who has entered into a written contract with the
2 department; and in the case of an individual who is enrolled in the final year of a course of
3 study and fails to maintain an acceptable level of academic standing in the educational
4 institution in which such individual is enrolled or voluntarily terminates such enrollment or is
5 dismissed from such educational institution before completion of such course of study, **fails**
6 **to pursue, within a reasonable amount of time, any clinical experience or other**
7 **experience required for licensure under chapter 331, 332, 334, or 337, or fails to become**
8 **licensed pursuant to chapter 331, 332 [or], 334, or 337 within one year of completing the**
9 **requirements necessary for licensure** shall be liable to the state for the amount which has
10 been paid on his or her behalf under the contract.

11 2. If an individual breaches the written contract of the individual by failing either to
12 begin such individual's service obligation or to complete such service obligation, the state
13 shall be entitled to recover from the individual an amount equal to the sum of:

14 (1) The total of the amounts prepaid by the state on behalf of the individual;

15 (2) The interest on the amounts which would be payable if at the time the amounts
16 were paid they were loans bearing interest at the maximum prevailing rate as determined by
17 the Treasurer of the United States;

18 (3) An amount equal to any damages incurred by the department as a result of the
19 breach;

20 (4) Any legal fees or associated costs incurred by the department or the state of
21 Missouri in the collection of damages.

22 3. The department may act on behalf of a qualified community to recover from an
23 individual described in subsections 1 and 2 of this section the portion of a loan repayment
24 paid by such community for such individual.

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