

FIRST REGULAR SESSION

# HOUSE BILL NO. 720

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DIEHL.

1875H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal sections 191.600, 191.603, 191.605, 191.607, 191.611, 191.614, and 191.615, RSMo, and to enact in lieu thereof seven new sections relating to the Missouri state 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Section A. Sections 191.600, 191.603, 191.605, 191.607, 191.611, 191.614, and 191.615, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 191.600, 191.603, 191.605, 191.607, 191.611, 191.614, and 191.615, to read as follows: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~~, **to be known as the "Missouri State Loan Repayment Program (MOSLRP)", for persons 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 when ~~federal guidelines for chiropractic shortage areas are developed~~ **after graduating from an accredited graduate training program in a discipline that is required for practice as:**

- 9           **(1) An allopathic medical doctor;**
- 10           **(2) An osteopathic medical doctor;**
- 11           **(3) A general dentist;**
- 12           **(4) A dental hygienist;**
- 13           **(5) A registered nurse including, but not limited to, a certified nurse practitioner,**
- 14 **a certified nurse midwife, or a psychiatric nurse;**

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.

- 15           **(6) A physician assistant;**  
 16           **(7) A psychologist;**  
 17           **(8) A licensed clinical social worker;**  
 18           **(9) A licensed professional counselor;**  
 19           **(10) A marital and family therapist; or**  
 20           **(11) A pharmacist.**

21           2. The [~~"Health Professional Student Loan and~~] **"Missouri State Loan Repayment**  
 22 **Program Fund"** is hereby created in the state treasury. All funds recovered from an individual  
 23 pursuant to section 191.614 and all funds generated by loan repayments and penalties  
 24 received pursuant to section 191.540 shall be credited to the fund. The moneys in the fund  
 25 shall be used by the department of health and senior services to provide loan repayments  
 26 pursuant to section 191.611 in accordance with sections 191.600 to 191.614.

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~~]; **services of a psychiatrist**;  
 4 ~~chiropractor~~]; **services of a registered nurse including, but not limited to, a certified**  
 5 **nurse practitioner, a certified nurse midwife, or a psychiatric nurse; or services of a**  
 6 **physician assistant, psychologist, licensed clinical social worker, licensed professional**  
 7 **counselor, marital and family therapist, pharmacist, dental hygienist, or general dentist**  
 8 are needed to improve the patient-health professional ratio in the area, to contribute health  
 9 care professional services to an area of economic impact, or to contribute health care  
 10 professional services to an area suffering from the effects of a natural disaster;
- 11           (2) [~~"Chiropractor", a person licensed and registered pursuant to chapter 331]~~  
 12 **"Certified nurse midwife", the same meaning given to the term in section 335.016;**
- 13           (3) **"Certified nurse practitioner", the same meaning given to the term in section**  
 14 **335.016;**
- 15           (4) **"Dental hygienist", a person licensed to practice dental hygiene under**  
 16 **chapter 332;**
- 17           (5) "Department", the department of health and senior services;
- 18           [~~(4)~~] (6) **"General dentist", dentists licensed and registered pursuant to chapter 332**  
 19 **engaged in general dentistry and who are providing such services to the general population;**
- 20           [~~(5)~~] (7) **"Licensed clinical social worker", a person licensed as a clinical social**  
 21 **worker under chapter 337;**
- 22           (8) **"Licensed professional counselor", a person licensed as a professional**  
 23 **counselor under chapter 337;**
- 24           (9) **"Marital and family therapist", a person licensed as a marital and family**  
 25 **therapist under chapter 337;**

- 26           **(10) "Pharmacist", a person licensed under chapter 338;**  
27           **(11) "Physician assistant", the same meaning given to the term in section**  
28 **334.735;**  
29           **(12) "Primary care physician", physicians licensed and registered pursuant to chapter**  
30 **334 engaged in general or family practice, internal medicine, pediatrics, geriatrics, or**  
31 **obstetrics and gynecology as their primary specialties, and who are providing such primary**  
32 **care services to the general population;**  
33           ~~[(6)]~~ **(13) "Psychiatric nurse", the same meaning given to the term in section**  
34 **632.005;**  
35           **(14) "Psychiatrist", the same meaning as in section 632.005;**  
36           **(15) "Psychologist", a person licensed to practice psychology under chapter 337;**  
37           **(16) "Registered nurse", the same meaning given to the term in section 335.016.**  
191.605. The department shall designate counties, communities, or sections of urban  
2 areas as areas of defined need for medical, psychiatric, ~~[chiropractic,]~~ or dental services when  
3 such county, community or section of an urban area has been designated as a primary care  
4 health professional shortage area, a mental health care professional shortage area, or a dental  
5 health care professional shortage area by the federal Department of Health and Human  
6 Services, or has been determined by the director of the department of health and senior  
7 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. These standards shall include, but are not limited to the following:  
4           (1) Citizenship or permanent residency in the United States;  
5           (2) Residence in the state of Missouri;  
6           (3) ~~[Enrollment as a full-time medical student in the final year of a course of study~~  
7 ~~offered by an approved educational institution or licensed to practice medicine or osteopathy~~  
8 ~~pursuant to chapter 334, including psychiatrists;~~  
9           (4) ~~Enrollment as a full-time dental student in the final year of course study offered~~  
10 ~~by an approved educational institution or licensed to practice general dentistry pursuant to~~  
11 ~~chapter 332;~~  
12           (5) ~~Enrollment as a full-time chiropractic student in the final year of course study~~  
13 ~~offered by an approved educational institution or licensed to practice chiropractic medicine~~  
14 ~~pursuant to chapter 331] Authorization to practice as any type of health professional~~  
15 **defined in section 191.603; and**  
16           ~~[(6)]~~ **(4) Submission of an application for loan repayment.**

191.611. 1. A loan payment provided for an individual under a written contract under  
2 the ~~[health professional student loan payment]~~ **Missouri state loan repayment** program shall  
3 consist of payment on behalf of the individual of the principal, interest, and related expenses  
4 on government and commercial loans received by the individual for tuition, fees, books,  
5 laboratory, and living expenses incurred by the individual.

6 2. For each year of obligated services that an individual contracts to serve in an area  
7 of defined need, the director may pay an amount not to exceed the maximum amounts  
8 allowed under the National Health Service Corps Loan Repayment Program, 42 U.S.C.  
9 Section 2541-1, P.L. 106-213, on behalf of the individual for loans described in subsection 1  
10 of this section.

11 3. The department may enter into an agreement with the holder of the loans for which  
12 repayments are made pursuant to the ~~[health professional student loan payment]~~ **Missouri**  
13 **state loan repayment** program to establish a schedule for the making of such payments if the  
14 establishment of such a schedule would result in reducing the costs to the state.

15 4. Any qualifying communities providing a portion of a loan repayment shall be  
16 considered first for placement.

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 or fails  
6 to become licensed pursuant to chapter 331, 332 or 334 within one year shall be liable to the  
7 state for the amount which has been paid on his or her behalf under the contract.~~

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

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

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

15 (3) An amount equal to any damages incurred by the department as a result of the  
16 breach; **and**

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

19 ~~[3-]~~ 2. The department may act on behalf of a qualified community to recover from an  
20 individual described in ~~[subsections 1 and 2 of]~~ this section the portion of a loan repayment  
21 paid by such community for such individual.

191.615. 1. The department shall submit a grant application to the Secretary of the  
2 United States Department of Health and Human Services as prescribed by the secretary to  
3 obtain federal funds to finance the ~~[health professional student]~~ **Missouri state** loan  
4 repayment program.

5 2. Sections 191.600 to 191.615 shall not be construed to require the department to  
6 enter into contracts with individuals who qualify for the ~~[health professional student]~~  
7 **Missouri state** loan repayment program when federal and state funds are not available for  
8 such purpose.

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