

HOUSE BILL 459

F2, F5

4lr0123

By: **Chair, Ways and Means Committee (By Request – Departmental – Health and Mental Hygiene)**

Introduced and read first time: January 27, 2014

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2014

CHAPTER _____

1 AN ACT concerning

2 **Maryland Loan Assistance Repayment Program for Physicians and**
3 **Physician Assistants**

4 FOR the purpose of expanding the scope of the Maryland Loan Assistance Repayment
5 Program for Physicians to provide certain education loan repayments to
6 physician assistants who provide primary care in certain designated
7 professional shortage areas under certain circumstances; expanding the
8 definition of “primary care” to include women’s health; and generally relating to
9 the Maryland Loan Assistance Repayment Program for Physicians and
10 Physician Assistants.

11 BY repealing and reenacting, with amendments,

12 Article – Education

13 Section 18–2801 and 18–2803 through 18–2805 to be under the amended
14 subtitle “Subtitle 28. Maryland Loan Assistance Repayment Program for
15 Physicians and Physician Assistants”

16 Annotated Code of Maryland

17 (2008 Replacement Volume and 2013 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Health Occupations

20 Section 14–207(c) and 15–206(b)

21 Annotated Code of Maryland

22 (2009 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Education**

4 Subtitle 28. Maryland Loan Assistance Repayment Program for Physicians AND
5 **PHYSICIAN ASSISTANTS.**

6 18–2801.

7 (a) In this subtitle the following words have the meanings indicated.

8 (b) “Department” means the Department of Health and Mental Hygiene.

9 (c) “Education loan” means any loan that is obtained for tuition, educational
10 expenses, or living expenses for undergraduate or graduate study leading to practice
11 as a physician **OR PHYSICIAN ASSISTANT.**

12 (d) “Fund” means the Maryland Loan Assistance Repayment Program Fund.

13 (e) “Primary care” includes:

14 (1) Primary care;

15 (2) Family medicine;

16 (3) Internal medicine;

17 (4) Obstetrics;

18 (5) Pediatrics;

19 (6) Geriatrics;

20 (7) Emergency medicine; [and]

21 **(8) WOMEN’S HEALTH; AND**

22 **[(8)] (9) Psychiatry.**

23 (f) “Program” means the Maryland Loan Assistance Repayment Program for
24 Physicians **AND PHYSICIAN ASSISTANTS.**

25 18–2803.

1 There is a Maryland Loan Assistance Repayment Program for Physicians **AND**
2 **PHYSICIAN ASSISTANTS** in the State.

3 18–2804.

4 (a) (1) In this section, “eligible field of employment” means employment
5 by an organization, institution, association, society, or corporation that is exempt from
6 taxation under § 501(c)(3) or (4) of the Internal Revenue Code of 1986.

7 (2) “Eligible field of employment” includes employment by the State or
8 any local government in the State.

9 (b) The Office shall assist in the repayment with the funds transferred to the
10 Office by the Comptroller under § 14–207(c)(2)(i) of the Health Occupations Article of
11 the amount of education loans owed by a physician **OR PHYSICIAN ASSISTANT** who:

12 (1) (i) Practices primary care in an eligible field of employment in
13 a geographic area of the State that has been federally designated; or

14 (ii) Is a medical resident specializing in primary care who
15 agrees to practice for at least 2 years as a primary care physician in an eligible field of
16 employment in a geographic area of the State that has been federally designated; and

17 (2) Meets any other requirements established by the Office, in
18 consultation with the Department.

19 (c) Any unspent portions of the money that is transferred to the Office for
20 use under this subtitle from the Board of Physicians Fund may not be transferred to or
21 revert to the General Fund of the State, but shall remain in the Fund maintained by
22 the Office to administer the Program.

23 18–2805.

24 (a) In addition to the assistance provided under § 18–2804 of this subtitle,
25 the Office may, subject to the availability of money in the Fund, assist in the
26 repayment of an education loan owed by a physician **OR PHYSICIAN ASSISTANT** who:

27 (1) Practices a medical specialty that has been identified by the
28 Department as being in shortage in the geographic area of the State where the
29 physician **OR PHYSICIAN ASSISTANT** practices that specialty; and

30 (2) Commits to practicing in the area for a period of time determined
31 by the Office.

32 (b) The Office shall prioritize funding for the repayment of education loans
33 through the Program in the following order:

1 (1) Physicians AND PHYSICIAN ASSISTANTS that meet the
2 requirements under § 18–2804(b) of this subtitle;

3 (2) Physicians AND PHYSICIAN ASSISTANTS practicing primary care
4 in a geographic area where the Department has identified a shortage of primary care
5 physicians OR PHYSICIAN ASSISTANTS; and

6 (3) Physicians AND PHYSICIAN ASSISTANTS practicing a medical
7 specialty other than primary care in a geographic area where the Department has
8 identified a shortage of that specialty.

9 **Article – Health Occupations**

10 14–207.

11 (c) (1) The Board shall pay all fees collected under the provisions of this
12 title to the Comptroller of the State.

13 (2) (i) If the Governor does not include in the State budget at least
14 \$750,000 for the operation of the Health Personnel Shortage Incentive Grant Program
15 under § 18–803 of the Education Article and the Maryland Loan Assistance
16 Repayment Program for Physicians AND PHYSICIAN ASSISTANTS under Title 18,
17 Subtitle 28 of the Education Article, as administered by the Maryland Higher
18 Education Commission, the Comptroller shall distribute:

19 1. Except as provided in subparagraph (ii) of this
20 paragraph, 12 percent of the fees received from the Board to the Office of Student
21 Financial Assistance to be used as follows:

22 A. One-half to make grants under the Health Personnel
23 Shortage Incentive Grant Program under § 18–803 of the Education Article; and

24 B. One-half to make grants under the Maryland Loan
25 Assistance Repayment Program for Physicians AND PHYSICIAN ASSISTANTS under
26 Title 18, Subtitle 28 of the Education Article to physicians AND PHYSICIAN
27 ASSISTANTS engaged in primary care or to medical residents specializing in primary
28 care who agree to practice for at least 2 years as primary care physicians in a
29 geographic area of the State that has been designated by the Secretary of Health and
30 Mental Hygiene as being medically underserved; and

31 2. The balance of the fees to the Board of Physicians
32 Fund.

33 (ii) For fiscal 2008, if the Governor does not include in the State
34 budget the funds specified under subparagraph (i) of this paragraph, the Comptroller

1 shall distribute 14 percent of the fees received from the Board to the Office of Student
2 Financial Assistance to be used as provided under subparagraph (i) of this paragraph.

3 (iii) If the Governor includes in the State budget at least
4 \$750,000 for the operation of the Health Personnel Shortage Incentive Grant Program
5 under § 18–803 of the Education Article and the Maryland Loan Assistance
6 Repayment Program for Physicians AND PHYSICIAN ASSISTANTS of the Education
7 Article, as administered by the Maryland Higher Education Commission, the
8 Comptroller shall distribute the fees to the Board of Physicians Fund.

9 15–206.

10 (b) (1) The Board shall pay all fees collected under this title to the
11 Comptroller of the State.

12 (2) (i) If the Governor does not include in the State budget at least
13 \$750,000 for the operation of the Health Personnel Shortage Incentive Grant Program
14 under § 18–803 of the Education Article and the Maryland Loan Assistance
15 Repayment Program for Physicians AND PHYSICIAN ASSISTANTS under Title 18,
16 Subtitle 28 of the Education Article, as administered by the Maryland Higher
17 Education Commission, the Comptroller shall distribute:

18 1. 12 percent of the fees received from the Board to the
19 Office of Student Financial Assistance to be used as follows:

20 A. One-half to make grants under the Health Personnel
21 Shortage Incentive Grant Program under § 18–803 of the Education Article; and

22 B. One-half to make grants under the Maryland Loan
23 Assistance Repayment Program for Physicians AND PHYSICIAN ASSISTANTS under
24 Title 18, Subtitle 28 of the Education Article to physicians AND PHYSICIAN
25 ASSISTANTS engaged in primary care or to medical residents specializing in primary
26 care who agree to practice for at least 2 years as primary care physicians in a
27 geographic area of the State that has been designated by the Secretary of Health and
28 Mental Hygiene as being medically underserved; and

29 2. The balance of the fees to the Board of Physicians
30 Fund.

31 (ii) If the Governor includes in the State budget at least
32 \$750,000 for the operation of the Health Personnel Shortage Incentive Grant Program
33 under § 18–803 of the Education Article and the Maryland Loan Assistance
34 Repayment Program for Physicians AND PHYSICIAN ASSISTANTS under Title 18,
35 Subtitle 28 of the Education Article, as administered by the Maryland Higher
36 Education Commission, the Comptroller shall distribute the fees to the Board of
37 Physicians Fund.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.