

## Chapter 99

(House Bill 459)

AN ACT concerning

### **Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants**

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

BY repealing and reenacting, with amendments,

Article – Education

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

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–207(c) and 15–206(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2013 Supplement)

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

#### **Article – Education**

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

18–2801.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Department” means the Department of Health and Mental Hygiene.

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

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

(e) “Primary care” includes:

- (1) Primary care;
- (2) Family medicine;
- (3) Internal medicine;
- (4) Obstetrics;
- (5) Pediatrics;
- (6) Geriatrics;
- (7) Emergency medicine; [and]
- (8) WOMEN’S HEALTH; AND**
- [(8)] (9) Psychiatry.**

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

18–2803.

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

18–2804.

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

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

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

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

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

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

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

18–2805.

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

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

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

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

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

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

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

Article – Health Occupations14–207.

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

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

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

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

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

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

(ii) For fiscal 2008, if the Governor does not include in the State budget the funds specified under subparagraph (i) of this paragraph, the Comptroller shall distribute 14 percent of the fees received from the Board to the Office of Student Financial Assistance to be used as provided under subparagraph (i) of this paragraph.

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

15–206.

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

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

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

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

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

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

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

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

**Approved by the Governor, April 8, 2014.**