

## LEGISLATIVE BILL 577

Approved by the Governor June 3, 1997

Introduced by Dierks, 40

AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend sections 71-5654, 71-5662, 71-5663, 71-5665, and 71-5668, Reissue Revised Statutes of Nebraska; to change provisions relating to eligible professions under the act and membership of the Nebraska Rural Health Advisory Commission; to provide duties; to provide an operative date; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-5654, Reissue Revised Statutes of Nebraska, is amended to read:

71-5654. The Nebraska Rural Health Advisory Commission is hereby created as the direct and only successor to the Commission on Rural Health Manpower. The Nebraska Rural Health Advisory Commission shall consist of twelve members as follows:

(1) The Director of Regulation and Licensure or his or her designee and the Director of Health and Human Services or his or her designee; and

(2) Ten members to be appointed by the Governor with the advice and consent of the Legislature as follows:

(a) One representative of each medical school located in the state involved in training family physicians and one physician in family practice residency training; and

(b) From rural areas one physician, one consumer representative, one hospital administrator, one nursing home administrator, and three representatives selected from the following professions: Nursing, physician assistant practice, mental health professions, pharmacy, dentistry, physical therapy, and occupational therapy. ~~one nurse, one physician assistant, and one mental health professional.~~

Members shall serve for terms of three years. When a vacancy occurs, appointment to fill the vacancy shall be made for the balance of the term. All appointed members shall be citizens and residents of Nebraska. The appointed membership of the commission shall, to the extent possible, represent the three congressional districts equally.

Sec. 2. Section 71-5662, Reissue Revised Statutes of Nebraska, is amended to read:

71-5662. (1) To be eligible for a student loan under the Rural Health Systems and Professional Incentive Act, an applicant or a recipient shall be enrolled or accepted for enrollment in an accredited medical education program or physician assistant education program in Nebraska.

(2) To be eligible for loan repayment under the act, an applicant or a recipient shall be a pharmacist, a dentist, a physical therapist, an occupational therapist, a mental health practitioner, a nurse practitioner, a physician assistant, or a physician in an approved specialty and shall be licensed or certified to practice in Nebraska, not be enrolled in a residency program, and enter practice in a designated health profession shortage area in Nebraska on or after April 16, 1994.

Sec. 3. Section 71-5663, Reissue Revised Statutes of Nebraska, is amended to read:

71-5663. (1) The amount of financial assistance provided through student loans pursuant to the Rural Health Systems and Professional Incentive Act shall be limited to ten thousand dollars for each recipient for each academic year and shall not exceed forty thousand dollars per medical student or twenty thousand dollars per physician assistant student.

(2) The amount of financial assistance provided by the state through loan repayments pursuant to the act (a) for physicians and clinical psychologists shall be limited to ten thousand dollars per recipient per year of full-time practice in a designated health profession shortage area and shall not exceed thirty thousand dollars per recipient and (b) for physician assistants, nurse practitioners, pharmacists, dentists, physical therapists, occupational therapists, and master's level mental health professionals shall be limited to five thousand dollars per recipient per year of full-time practice in a designated health profession shortage area and shall not exceed fifteen thousand dollars per recipient.

Sec. 4. Section 71-5665, Reissue Revised Statutes of Nebraska, is amended to read:

71-5665. The commission shall periodically designate health

profession shortage areas within the state for the following professions: Medicine and surgery, physician assistants' practice, nurse practitioners' practice, clinical psychology, and master's level mental health practice. The commission shall also periodically designate separate health profession shortage areas for each of the following professions: Pharmacy, dentistry, physical therapy, and occupational therapy. In making such designations the commission shall consider, after consultation with other appropriate agencies concerned with health services and with appropriate professional organizations, among other factors:

(1) The latest reliable statistical data available regarding the number of health professionals practicing in an area and the population to be served by such practitioners;

(2) Inaccessibility of health care services to residents of an area;

(3) Particular local health problems;

(4) Age or incapacity of local practitioners rendering services; and

(5) Demographic trends in an area both past and future.

Sec. 5. Section 71-5668, Reissue Revised Statutes of Nebraska, is amended to read:

71-5668. Each loan repayment recipient shall execute an agreement with the department and a local entity. Such agreement shall include, at a minimum, the following terms:

(1) The loan repayment recipient agrees to practice his or her profession, and a physician also agrees to practice an approved specialty, in a designated health profession shortage area for at least three years and to accept medicaid patients in his or her practice;

(2) In consideration of the agreement by the recipient, the State of Nebraska and a local entity within the designated health profession shortage area will provide equal funding for the repayment of the recipient's qualified educational debts, in amounts up to ten thousand dollars per year per recipient for physicians and clinical psychologists and up to five thousand dollars per year per recipient for physician assistants, nurse practitioners, pharmacists, dentists, physical therapists, occupational therapists, and master's level mental health professionals toward qualified educational debts for up to three years. The department shall make payments directly to the recipient; and

(3) If the loan repayment recipient discontinues practice in the shortage area prior to completion of the three-year requirement, the recipient shall repay to the state one hundred twenty-five percent of the total amount of funds provided to the recipient for loan repayment. Upon repayment by the recipient to the department, the department shall reimburse the local entity its share of the funds.

Sec. 6. This act becomes operative January 1, 1998.

Sec. 7. Original sections 71-5654, 71-5662, 71-5663, 71-5665, and 71-5668, Reissue Revised Statutes of Nebraska, are repealed.