

1 **SENATE FLOOR VERSION**

2 April 1, 2024

3 ENGROSSED HOUSE
4 BILL NO. 3351

By: McEntire, Deck, and Munson
of the House

5 and

6 Thompson (Kristen) of the
7 Senate

8
9 An Act relating to medical preceptorship training;
10 defining terms; providing income tax credit for
11 certain individuals who conduct a preceptorship
12 rotation; providing amount of and basis for credit;
13 providing limitations on credits allowed; prohibiting
14 refundability of credit; authorizing the carry
15 forward of credit; directing the State Board of
16 Medical Licensure and Supervision, State Board of
17 Osteopathic Examiners, and Oklahoma Board of Nursing
18 to award credit; limiting the amount of credit
19 awarded to balance of certain revolving funds;
20 authorizing allocation of partial credit; authorizing
21 credits not allowed to be claimed in subsequent year;
22 specifying eligibility for credit; directing the
23 State Board of Medical Licensure and Supervision,
24 State Board of Osteopathic Examiners, and Oklahoma
Board of Nursing to deposit certain fees in revolving
fund for certain purpose; requiring submission of
information; authorizing promulgation of rules;
creating the Physician Preceptor Tax Credit Revolving
Fund, the Physician Assistant Preceptor Tax Credit
Revolving Fund, the Osteopathic Physician Preceptor
Tax Credit Revolving Fund, and the Advanced Practice
Registered Nurses Preceptor Revolving Fund;
specifying sources of funds; providing for transfer
of monies to Oklahoma Tax Commission; requiring
apportionment of monies; authorizing administrative
expenditures; stating purpose; providing for
codification; providing an effective date; and
declaring an emergency.

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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2357.409 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Faculty preceptor" means an allopathic physician, osteopathic physician, physician assistant or advanced practice registered nurse licensed in this state and who is either a primary care physician or with respect to a physician assistant or advanced practice registered nurse is performing most of his or her professional services for a primary care physician;

2. "Medical school" means a legally chartered medical school recognized by the Oklahoma State Regents for Higher Education;

3. "Medical student" means a student currently enrolled in a medical school in this state or a school or college of osteopathic medicine in this state;

4. "Physician assistant student" means an individual participating in a state-supported training program in this state that is approved by the State Board of Medical Licensure and Supervision for the training of individuals to become physician assistants as defined in Section 519.2 of Title 59 of the Oklahoma Statutes;

1 5. "Preceptorship rotation" means a period of preceptorship
2 training of one or more medical students, residents, physician
3 assistant students or advanced practice registered nurses that in
4 aggregate totals one hundred sixty (160) hours;

5 6. "Preceptorship training" means uncompensated training of a
6 medical student, resident, physician assistant student or advanced
7 practice registered nurse enrolled in a training program in this
8 state;

9 7. "Primary care physicians" shall mean physicians practicing
10 in family medicine, geriatrics, general internal medicine, or
11 general pediatrics;

12 8. "Resident" means an allopathic physician or osteopathic
13 physician pursuing postgraduate medical education at a program
14 supported by a medical school or a school or college of osteopathic
15 medicine in this state; and

16 9. "School or college of osteopathic medicine" shall have the
17 same meaning as provided by Section 631 of Title 59 of the Oklahoma
18 Statutes.

19 B. 1. For tax years beginning January 1, 2025, and ending not
20 later than December 31, 2034, there shall be allowed a credit
21 against the tax imposed pursuant to Section 2355 of Title 68 of the
22 Oklahoma Statutes for a faculty preceptor who conducts a
23 preceptorship rotation.

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- a. medical students enrolled in a medical school in this state,
- b. residents who are allopathic physicians pursuing postgraduate medical education at a program supported by a medical school in this state, and
- c. physician assistant students.

2. The State Board of Osteopathic Examiners shall award the credit authorized by subsection B of this section to faculty preceptors for preceptorship rotations of:

- a. medical students enrolled in a school or college of osteopathic medicine in this state, and
- b. residents who are osteopathic physicians pursuing postgraduate medical education at a program supported by a school or college of osteopathic medicine in this state.

3. The Oklahoma Board of Nursing shall award the credit authorized by subsection B of this section to faculty preceptors for preceptor rotations with respect to advanced practice registered nurses.

F. 1. The credits awarded by the State Board of Medical Licensure and Supervision under subparagraphs a and b of paragraph 1 of subsection E of this section for the tax year shall not exceed the amount deposited to the Physician Preceptor Tax Credit Revolving Fund created in Section 2 of this act during the fiscal year ending

1 on the June 30 date immediately preceding the January 1 date upon
2 which the applicable income tax year begins.

3 2. The credits awarded by the State Board of Medical Licensure
4 and Supervision under subparagraph c of paragraph 1 of subsection E
5 of this section for the tax year shall not exceed the amount
6 deposited to the Physician Assistant Preceptor Tax Credit Revolving
7 Fund created in Section 3 of this act during the fiscal year ending
8 on the June 30 date immediately preceding the January 1 date upon
9 which the applicable income tax year begins.

10 3. The credits awarded by the State Board of Osteopathic
11 Examiners under paragraph 2 of subsection E of this section for the
12 tax year shall not exceed the amount deposited to the Osteopathic
13 Physician Preceptor Tax Credit Revolving Fund created in Section 4
14 of this act during the preceding fiscal year ending on the June 30
15 date immediately preceding the January 1 date upon which the
16 applicable income tax year begins.

17 4. The credits awarded by the Oklahoma Board of Nursing under
18 paragraph 3 of subsection E of this section for the tax year shall
19 not exceed the amount deposited to the Advanced Practice Registered
20 Nurses Preceptor Tax Credit Revolving Fund created in Section 5 of
21 this act during the preceding fiscal year ending on the June 30 date
22 immediately preceding the January 1 date upon which the applicable
23 income tax year begins.

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1 G. Partial claims for credit may be awarded. Credits earned
2 but not allowed due to the application of the limitation provided in
3 this section shall be considered suspended and authorized to be used
4 in the subsequent tax year and applied to the next tax year's
5 limitation.

6 H. In order to receive the credit provided pursuant to this
7 section, a faculty preceptor shall:

8 1. Claim the credit for the tax year in which the preceptorship
9 rotation was completed;

10 2. Certify that he or she did not receive payment during the
11 tax year from any source for providing the training; and

12 3. Supply supporting documentation as may be required by the
13 State Board of Medical Licensure and Supervision or the State Board
14 of Osteopathic Examiners.

15 I. 1. The State Board of Medical Licensure and Supervision
16 shall reserve Five Dollars (\$5.00) of every annual licensure fee
17 received from allopathic physicians and shall deposit the sum to the
18 Physician Preceptor Tax Credit Revolving Fund created in Section 2
19 of this act for the purpose of providing funding for the credit
20 authorized by this section.

21 2. The State Board of Medical Licensure and Supervision shall
22 reserve Two Dollars (\$2.00) of every annual licensure fee received
23 from physician assistants and shall deposit the sum to the Physician
24 Assistant Preceptor Tax Credit Revolving Fund created in Section 3

1 of this act for the purpose of providing funding for the credit
2 authorized by this section.

3 3. The State Board of Osteopathic Examiners shall reserve Five
4 Dollars (\$5.00) of every annual licensure fee received from
5 osteopathic physicians and shall deposit the sum to the Osteopathic
6 Physician Preceptor Tax Credit Revolving Fund created in Section 4
7 of this act for the purpose of providing funding for the credit
8 authorized by this section.

9 4. The Oklahoma Board of Nursing shall reserve Two Dollars
10 (\$2.00) of every annual licensure fee received from advanced
11 practice registered nurses and shall deposit the sum to the Advanced
12 Practice Registered Nurses Preceptor Tax Credit Revolving Fund
13 created in Section 5 of this act for the purpose of providing
14 funding for the credit authorized by this section.

15 J. With respect to each tax year for which any tax credit
16 authorized by this section is awarded, the State Board of Medical
17 Licensure and Supervision, the State Board of Osteopathic Examiners
18 and the Oklahoma Board of Nursing shall electronically submit
19 information to the Oklahoma Tax Commission, which shall include:

- 20 1. The number and amount of tax credits awarded;
- 21 2. The name of the taxpayers that were awarded credits; and
- 22 3. The amount deposited in the Physician Preceptor Tax Credit
23 Revolving Fund, created in Section 2 of this act, the Physician
24 Assistant Preceptor Tax Credit Revolving Fund, created in Section 3

1 of this act, the Osteopathic Physician Preceptor Tax Credit
2 Revolving Fund, created in Section 4 of this act and the Advanced
3 Practice Registered Nurses Preceptor Tax Credit Revolving Fund
4 created in Section 5 of this act.

5 K. The Oklahoma Tax Commission, the State Board of Medical
6 Licensure and Supervision, the State Board of Osteopathic Examiners
7 and the Oklahoma Board of Nursing may promulgate rules to effectuate
8 the provisions of this act.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 495i of Title 59, unless there
11 is created a duplication in numbering, reads as follows:

12 There is hereby created in the State Treasury a revolving fund
13 for the State Board of Medical Licensure and Supervision to be
14 designated the "Physician Preceptor Tax Credit Revolving Fund". The
15 fund shall be a continuing fund, not subject to fiscal year
16 limitations, and shall consist of the monies received by the Board
17 from a portion of licensure fees received from allopathic physicians
18 under subsection I of Section 1 of this act. All monies accruing to
19 the credit of the fund are hereby appropriated and the fund shall be
20 used to make a transfer payment to the Oklahoma Tax Commission in an
21 amount equal to the amount of tax credits awarded pursuant to this
22 act. The Oklahoma Tax Commission shall apportion monies transferred
23 from the fund in the same manner as provided by Section 2352 of
24 Title 68 of the Oklahoma Statutes. Monies in the fund which are not

1 required for payment of administrative expenses, which shall not
2 exceed five percent (5%) of monies apportioned to the fund, or which
3 are not required to be transferred to the Oklahoma Tax Commission as
4 otherwise required by this act to offset the revenue impacted by the
5 use of the income tax credits awarded pursuant to Section 1 of this
6 act may be used to implement programs required or authorized by law.

7 SECTION 3. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 519.8a of Title 59, unless there
9 is created a duplication in numbering, reads as follows:

10 There is hereby created in the State Treasury a revolving fund
11 for the State Board of Medical Licensure and Supervision to be
12 designated the "Physician Assistant Preceptor Tax Credit Revolving
13 Fund". The fund shall be a continuing fund, not subject to fiscal
14 year limitations, and shall consist of the monies received by the
15 Board from a portion of licensure fees received from physician
16 assistants under subsection I of Section 1 of this act. All monies
17 accruing to the credit of the fund are hereby appropriated and the
18 fund shall be used to make a transfer payment to the Oklahoma Tax
19 Commission in an amount equal to the amount of tax credits awarded
20 pursuant to this act. The Oklahoma Tax Commission shall apportion
21 monies transferred from the fund in the same manner as provided by
22 Section 2352 of Title 68 of the Oklahoma Statutes. Monies in the
23 fund which are not required for payment of administrative expenses,
24 which shall not exceed five percent (5%) of monies apportioned to

1 the fund, or which are not required to be transferred to the
2 Oklahoma Tax Commission as otherwise required by this act to offset
3 the revenue impacted by the use of the income tax credits awarded
4 pursuant to Section 1 of this act may be used to implement programs
5 required or authorized by law.

6 SECTION 4. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 645.1 of Title 59, unless there
8 is created a duplication in numbering, reads as follows:

9 There is hereby created in the State Treasury a revolving fund
10 for the State Board of Osteopathic Examiners to be designated the
11 "Osteopathic Physician Preceptor Tax Credit Revolving Fund". The
12 fund shall be a continuing fund, not subject to fiscal year
13 limitations, and shall consist of the monies received by the Board
14 from a portion of licensure fees received from osteopathic
15 physicians under subsection I of Section 1 of this act. All monies
16 accruing to the credit of the fund are hereby appropriated and the
17 fund shall be used to make a transfer payment to the Oklahoma Tax
18 Commission in an amount equal to the amount of tax credits awarded
19 pursuant to this act. The Oklahoma Tax Commission shall apportion
20 monies transferred from the fund in the same manner as provided by
21 Section 2352 of Title 68 of the Oklahoma Statutes. Monies in the
22 fund which are not required for payment of administrative expenses,
23 which shall not exceed five percent (5%) of monies apportioned to
24 the fund, or which are not required to be transferred to the

1 Oklahoma Tax Commission as otherwise required by this act to offset
2 the revenue impacted by the use of the income tax credits awarded
3 pursuant to Section 1 of this act may be used to implement programs
4 required or authorized by law.

5 SECTION 5. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 567.31 of Title 59, unless there
7 is created a duplication in numbering, reads as follows:

8 There is hereby created in the State Treasury a revolving fund
9 for the Oklahoma Board of Nursing to be designated the "Advanced
10 Practice Registered Nurses Preceptor Tax Credit Revolving Fund".
11 The fund shall be a continuing fund, not subject to fiscal year
12 limitations, and shall consist of the monies received by the Board
13 from a portion of licensure fees received from advanced practice
14 registered nurses under subsection I of Section 1 of this act. All
15 monies accruing to the credit of the fund are hereby appropriated
16 and the fund shall be used to make a transfer payment to the
17 Oklahoma Tax Commission in an amount equal to the amount of tax
18 credits awarded pursuant to this act. The Oklahoma Tax Commission
19 shall apportion monies transferred from the fund in the same manner
20 as provided by Section 2352 of Title 68 of the Oklahoma Statutes.
21 Monies in the fund which are not required for payment of
22 administrative expenses, which shall not exceed five percent (5%) of
23 monies apportioned to the fund, or which are not required to be
24 transferred to the Oklahoma Tax Commission as otherwise required by

1 this act to offset the revenue impacted by the use of the income tax
2 credits awarded pursuant to Section 1 of this act may be used to
3 implement programs required or authorized by law.

4 SECTION 6. This act shall become effective July 1, 2024.

5 SECTION 7. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

9 COMMITTEE REPORT BY: COMMITTEE ON FINANCE
10 April 1, 2024 - DO PASS AS AMENDED BY CS

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