

AN ACT

ENTITLED, An Act to establish a program to assist rural communities to recruit certain health care professionals and to repeal certain provisions regarding the physician, the midlevel, and the dentist tuition reimbursement programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Department of Health may establish a program to assist rural communities in recruiting physicians, dentists, physician assistants, nurse practitioners, and nurse midwives.

Section 2. A rural community eligible to participate in the recruitment assistance program is any community in this state which:

- (1) Has a population of ten thousand persons or less;
- (2) Agrees to provide its portion of the incentive payment pursuant to the provisions of this Act; and
- (3) Is determined to be eligible by the Department of Health.

Before making a determination of eligibility, the Department of Health shall conduct a community assessment designed to evaluate the community's need for eligible providers and its ability to sustain and support the additional providers. The department shall maintain a list of communities which have been assessed and which are eligible for participation in the recruitment assistance program established by this Act. The department may revise any community assessment or conduct a new assessment as necessary to reflect any change in conditions within a community.

Section 3. A physician is eligible to participate in the recruitment assistance program established pursuant to this Act if the physician is licensed to practice medicine pursuant to chapter 36-4 and has completed an accredited residency program in family practice, pediatrics, internal medicine, or obstetrics/gynecology, and if the physician agrees to practice in an eligible rural community for a minimum period of three years. However, no more than fifteen physicians may participate in the

program at any specified time. Preference shall be given to physicians who have graduated from the University of South Dakota School of Medicine and completed an accredited residency program located in South Dakota.

A dentist is eligible to participate in the recruitment assistance program established pursuant to this Act if the dentist is licensed to practice dentistry pursuant to chapter 36-6A and agrees to practice general or pediatric dentistry in an eligible rural community for a minimum period of three years. However, no more than five dentists may participate in the program at any specified time.

A physician assistant, nurse practitioner, or nurse midwife is eligible to participate in the recruitment assistance program established pursuant to this Act if the physician assistant, nurse practitioner, or nurse midwife is licensed to practice pursuant to chapter 36-4A or chapter 36-9A, respectively, and has completed an accredited physician assistant, nurse practitioner, or nurse midwife program and if the person agrees to practice as a primary care physician assistant, family nurse practitioner, or nurse midwife in an eligible rural community for a minimum period of three years. However, no more than a cumulative total of fifteen physician assistants, nurse practitioners, or nurse midwives may participate in the program at any specified time.

Section 4. A physician or dentist who fulfills the requirements of the recruitment assistance program established pursuant to this Act, is entitled to receive an incentive payment in an amount equal to twice the University of South Dakota School of Medicine resident tuition for the four most recently completed academic years.

A physician assistant, nurse practitioner, or nurse midwife who fulfills the requirements of the recruitment assistance program established pursuant to this Act, is entitled to receive an incentive payment in an amount equal to twice the University of South Dakota resident tuition for physician assistant studies for the three most recently completed academic years.

Section 5. Any agreement for the payment of recruitment assistance pursuant to this Act shall

obligate the rural community to be served by a physician, dentist, physician assistant, nurse practitioner, or nurse midwife to provide a portion of the total amount of the incentive payment, based on the following criteria: communities of two thousand five hundred persons or less shall provide twenty-five percent of incentive payments; communities of more than two thousand five hundred persons and less than five thousand persons shall provide fifty percent of incentive payments; and all remaining eligible communities shall provide seventy-five percent of incentive payments. When the rural community certifies to the secretary of health that it has paid the full amount for which it is obligated, the secretary of the Department of Health shall pay to the physician, dentist, physician assistant, nurse practitioner, or nurse midwife the remaining balance of the total incentive payment amount. The secretary shall pay the required amount out of funds appropriated by the Legislature for such purpose. The incentive payment shall be paid upon completion of the required three-year practice period by the physician, dentist, physician assistant, nurse practitioner, or nurse midwife. However, a community may pay its portion of the incentive payment at any time during the three-year period.

Section 6. Any municipality or county may appropriate funds for the purpose of carrying out the provisions of this Act.

Section 7. No recruitment assistance agreement entered into pursuant to the provisions of this Act is effective until it is filed with and approved by the secretary of health. The secretary may prescribe the format of the agreements and procedures for approval.

Section 8. No person may participate in the program established pursuant to the provisions of this Act if the person has previously participated in such program, or any other state or federal scholarship, loan repayment, or tuition reimbursement program which obligates the person to provide medical services within an underserved area.

Section 9. Any person participating in the program established pursuant to the provisions of this

Act shall agree to be a participating South Dakota medical assistance provider and to serve any individual eligible under chapter 28-6 and may not refuse treatment to any such individual while participating in the program.

Section 10. That § 1-16A-71.1 be repealed.

Section 11. That § 1-16A-72.1 be repealed.

Section 12. That § 1-16A-73.1 be repealed.

Section 13. That § 1-16A-73.2 be repealed.

Section 14. That § 1-16A-73.3 be repealed.

Section 15. That § 1-16A-73.4 be repealed.

Section 16. That § 1-16A-73.5 be repealed.

Section 17. That § 1-16A-73.6 be repealed.

Section 18. That § 1-16A-73.7 be repealed.

Section 19. That § 1-16A-73.8 be repealed.

Section 20. That § 1-16A-73.9 be repealed.

Section 21. That § 1-16A-73.10 be repealed.

Section 22. That § 1-16A-73.11 be repealed.

Section 23. That § 1-16A-73.12 be repealed.

Section 24. That § 1-16A-73.20 be repealed.

Section 25. That § 1-16A-73.21 be repealed.

Section 26. That § 1-16A-73.22 be repealed.

Section 27. That § 1-16A-73.23 be repealed.

Section 28. That § 1-16A-73.24 be repealed.

Section 29. That § 1-16A-73.25 be repealed.

Section 30. That § 1-16A-73.26 be repealed.

Section 31. That § 1-16A-73.27 be repealed.

An Act to establish a program to assist rural communities to recruit certain health care professionals and to repeal certain provisions regarding the physician, the midlevel, and the dentist tuition reimbursement programs.

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I certify that the attached Act originated in the

SENATE as Bill No. 177

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 177  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State