

HEALTH CARE WORKFORCE FINANCIAL ASSISTANCE

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Edward H. Redd

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to education loan repayment assistance for individuals in certain health care professions.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends provisions related to education loan repayment assistance for individuals in certain health care professions;
- ▶ requires the Department of Health to apply for a certain grant; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-46-101, as last amended by Laws of Utah 2009, Chapter 97

26-46-102, as last amended by Laws of Utah 2009, Chapter 97

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section 26-46-101 is amended to read:

29 **26-46-101. Definitions.**

30 As used in this chapter:

31 (1) "Committee" means the Utah Health Care Workforce Financial Assistance Program
32 Advisory Committee created in Section 26-46-103.

33 ~~[(1)]~~ (2) "Geriatric professional" means ~~[a person]~~ an individual who is:

34 (a) ~~[is]~~ a licensed:

35 (i) health care professional;

36 (ii) social worker;

37 (iii) occupational therapist;

38 (iv) pharmacist;

39 (v) physical therapist; or

40 (vi) psychologist; and

41 (b) ~~[is]~~ determined by the department to have adequate advanced training in geriatrics

42 to prepare the ~~[person]~~ individual to provide specialized geriatric care within the scope of the

43 ~~[person's]~~ individual's profession.

44 ~~[(2)]~~ (3) "Health care professional" means an individual who is:

45 (a) a licensed:

46 (i) physician;

47 (ii) physician assistant;

48 (iii) nurse;

49 (iv) dentist; ~~[or]~~

50 (v) mental health therapist; or

51 (vi) pharmacist; or

52 (b) another licensed health care professional designated by the department by rule.

53 (4) "Program" means the Utah Health Care Workforce Financial Assistance Program
54 created in Section 26-46-102.

55 ~~[(3)]~~ (5) "Underserved area" means an area designated by the department as
56 underserved by health care professionals, based upon the results of a needs assessment
57 developed by the department in consultation with the ~~[Utah Health Care Workforce Financial~~
58 ~~Assistance Program Advisory Committee created under Section 26-46-103]~~ committee.

59 Section 2. Section **26-46-102** is amended to read:

60 **26-46-102. Creation of program -- Duties of department.**

61 (1) There is created within the department the Utah Health Care Workforce Financial
62 Assistance Program to provide, within funding appropriated by the Legislature for [~~this~~
63 ~~purpose~~] the following purposes:

64 (a) professional education scholarships and education loan repayment assistance to
65 health care professionals who locate or continue to practice in underserved areas; and

66 (b) education loan repayment assistance to geriatric professionals who locate or
67 continue to practice in underserved areas.

68 (2) Beginning with a contract entered into on or after May 8, 2018, the department may
69 enter into an education loan repayment assistance contract with a geriatric professional or a
70 health care professional who:

71 (a) practices in an underserved area; and

72 (b) subject to the rules described in Subsection (4):

73 (i) has a written commitment from the individual's employer that the employer will
74 provide education loan repayment assistance to the individual in an amount that equals 20% of
75 the total award to the individual; or

76 (ii) is employed at a health care facility that is unable to provide education loan
77 repayment assistance to the individual in an amount that equals 20% of the total award to the
78 individual.

79 (3) (a) If an application period opens for a grant described in 42 U.S.C. Sec. 254q-1,
80 the department shall apply for a grant.

81 (b) If the department is awarded a grant described in Subsection (3)(a), the department
82 shall ensure that the department provides education loan repayment assistance through the
83 grant funding and funding described in Subsection (1) to best meet the needs of the state.

84 [~~(2)~~] (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
85 Act, the department shall make rules governing the administration of the program, including
86 rules that address:

87 (a) application procedures;

88 (b) eligibility criteria;

89 (c) selection criteria;

90 (d) service conditions, which at a minimum shall include professional service in an
91 underserved area for a minimum period of time by any ~~[person]~~ individual receiving a
92 scholarship or education loan repayment assistance;

93 (e) penalties for failure to comply with service conditions or other terms of a
94 scholarship or education loan repayment assistance contract;

95 (f) criteria for modifying or waiving service conditions or penalties in case of extreme
96 hardship or other good cause; ~~[and]~~

97 (g) criteria for waiving or reducing a percentage described in Subsection (2)(b); and

98 ~~[(g)]~~ (h) administration of contracts entered into before [the effective date of this act]
99 March 26, 2002, between the department and scholarship or education loan repayment
100 assistance recipients, as authorized by law.

101 ~~[(3)]~~ (5) The department shall seek and consider the recommendations of the [Utah
102 Health Care Workforce Financial Assistance Program Advisory Committee created under
103 Section 26-46-103 as it] committee as the department develops and modifies rules to
104 administer the program.

105 ~~[(4)]~~ (6) Funding for the program:

106 (a) shall be a line item within the appropriations act;

107 (b) shall be nonlapsing unless designated otherwise by the Legislature; and

108 (c) may be used to cover administrative costs of the program, including reimbursement
109 expenses of the ~~[Utah Health Care Workforce Financial Assistance Program Advisory~~
110 ~~Committee created under Section 26-46-103]~~ committee.

111 ~~[(5) Loan repayments and payments resulting from breach of contract are dedicated~~
112 ~~credits to the program.]~~

113 (7) The following are dedicated credits to the program:

114 (a) a refund of education loan repayment assistance described in this section;

115 (b) a penalty for a breach of a contract described in this section; and

116 (c) another type of payment to the program.

117 ~~[(6)]~~ (8) The department shall prepare an annual report on the revenues, expenditures,
118 and outcomes of the program.

Legislative Review Note
Office of Legislative Research and General Counsel