

SENATE BILL NO. 635

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREGORY (21).

2542S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 191.600, 191.603, 191.605, 191.607, 191.611, 191.614, and 191.615, RSMo, and to enact in lieu thereof seven new sections relating to health care profession loan repayment.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 191.600, 191.603, 191.605, 191.607,
2 191.611, 191.614, and 191.615, RSMo, are repealed and seven new
3 sections enacted in lieu thereof, to be known as sections
4 191.600, 191.603, 191.605, 191.607, 191.611, 191.614, and
5 191.615, to read as follows:

191.600. 1. Sections 191.600 to 191.615 establish a
2 loan repayment program [for graduates of approved medical
3 schools, schools of osteopathic medicine, schools of
4 dentistry and accredited chiropractic colleges], **to be known**
5 **as the "Missouri State Loan Repayment Program (MOSLRP)", for**
6 **persons** who practice in areas of defined need [and shall be
7 known as the "Health Professional Student Loan Repayment
8 Program". Sections 191.600 to 191.615 shall apply to
9 graduates of accredited chiropractic colleges when federal
10 guidelines for chiropractic shortage areas are developed]
11 **after graduating from an accredited graduate training**
12 **program in a discipline that is required for practice as:**

- 13 (1) **An allopathic medical doctor;**
- 14 (2) **An osteopathic medical doctor;**
- 15 (3) **A general dentist;**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- 16 (4) A dental hygienist;
- 17 (5) A registered nurse including, but not limited to,
18 a certified nurse practitioner, a certified nurse midwife,
19 or a psychiatric nurse;
- 20 (6) A physician assistant;
- 21 (7) A psychologist;
- 22 (8) A licensed clinical social worker;
- 23 (9) A licensed professional counselor;
- 24 (10) A marital and family therapist; or
- 25 (11) A pharmacist.

26 2. The ["Health Professional Student Loan and]
27 "Missouri State Loan Repayment Program Fund" is hereby
28 created in the state treasury. All funds recovered from an
29 individual pursuant to section 191.614 and all funds
30 generated by loan repayments and penalties received pursuant
31 to section 191.540 shall be credited to the fund. The
32 moneys in the fund shall be used by the department of health
33 and senior services to provide loan repayments pursuant to
34 section 191.611 in accordance with sections 191.600 to
35 191.614.

 191.603. As used in sections 191.600 to 191.615, the
2 following terms shall mean:

- 3 (1) "Areas of defined need", areas designated by the
4 department pursuant to section 191.605, when services of a
5 **primary care physician**[, including]; **services of a**
6 **psychiatrist**[, chiropractor]; **services of a registered nurse**
7 **including, but not limited to, a certified nurse**
8 **practitioner, a certified nurse midwife, or a psychiatric**
9 **nurse; or services of a physician assistant, psychologist,**
10 **licensed clinical social worker, licensed professional**
11 **counselor, marital and family therapist, pharmacist, dental**
12 **hygienist, or general dentist are needed to improve the**

13 patient-health professional ratio in the area, to contribute
14 health care professional services to an area of economic
15 impact, or to contribute health care professional services
16 to an area suffering from the effects of a natural disaster;

17 (2) ["Chiropractor", a person licensed and registered
18 pursuant to chapter 331] **"Certified nurse midwife", the same**
19 **meaning given to the term in section 335.016;**

20 (3) **"Certified nurse practitioner", the same meaning**
21 **given to the term in section 335.016;**

22 (4) **"Dental hygienist", a person licensed to practice**
23 **dental hygiene under chapter 332;**

24 (5) "Department", the department of health and senior
25 services;

26 [(4)] (6) "General dentist", dentists licensed and
27 registered pursuant to chapter 332 engaged in general
28 dentistry and who are providing such services to the general
29 population;

30 (7) **"Licensed clinical social worker", a person**
31 **licensed as a clinical social worker under chapter 337;**

32 (8) **"Licensed professional counselor", a person**
33 **licensed as a professional counselor under chapter 337;**

34 (9) **"Marital and family therapist", a person licensed**
35 **as a marital and family therapist under chapter 337;**

36 (10) **"Pharmacist", a person licensed under chapter 338;**

37 (11) **"Physician assistant", the same meaning given to**
38 **the term in section 334.735;**

39 [(5)] (12) "Primary care physician", physicians
40 licensed and registered pursuant to chapter 334 engaged in
41 general or family practice, internal medicine, pediatrics,
42 **geriatrics**, or obstetrics and gynecology as their primary
43 specialties, and who are providing such primary care
44 services to the general population;

45 (13) "Psychiatric nurse", the same meaning given to
46 the term in section 632.005;

47 [(6)] (14) "Psychiatrist", the same meaning as in
48 section 632.005;

49 (15) "Psychologist", a person licensed to practice
50 psychology under chapter 337;

51 (16) "Registered nurse", the same meaning given to the
52 term in section 335.016.

191.605. The department shall designate counties,
2 communities, or sections of urban areas as areas of defined
3 need for medical, psychiatric, [chiropractic,] or dental
4 services when such county, community or section of an urban
5 area has been designated as a primary care health
6 professional shortage area, a mental health care
7 professional shortage area, or a dental health care
8 professional shortage area by the federal Department of
9 Health and Human Services, or has been determined by the
10 director of the department of health and senior services to
11 have an extraordinary need for health care professional
12 services, without a corresponding supply of such
13 professionals.

191.607. The department shall adopt and promulgate
2 regulations establishing standards for determining eligible
3 persons for loan repayment pursuant to sections 191.600 to
4 191.615. These standards shall include, but are not limited
5 to the following:

- 6 (1) Citizenship or permanent residency in the United
7 States;
- 8 (2) Residence in the state of Missouri;
- 9 (3) [Enrollment as a full-time medical student in the
10 final year of a course of study offered by an approved

11 educational institution or licensed to practice medicine or
12 osteopathy pursuant to chapter 334, including psychiatrists;

13 (4) Enrollment as a full-time dental student in the
14 final year of course study offered by an approved
15 educational institution or licensed to practice general
16 dentistry pursuant to chapter 332;

17 (5) Enrollment as a full-time chiropractic student in
18 the final year of course study offered by an approved
19 educational institution or licensed to practice chiropractic
20 medicine pursuant to chapter 331] **Authorization to practice**

21 **as any type of health professional defined in section**
22 **191.603; and**

23 [(6)] (4) **Submission of an** application for loan
24 repayment.

191.611. 1. A loan payment provided for an individual
2 under a written contract under the [health professional
3 student loan payment] **Missouri state loan repayment** program
4 shall consist of payment on behalf of the individual of the
5 principal, interest, and related expenses on government and
6 commercial loans received by the individual for tuition,
7 fees, books, laboratory, and living expenses incurred by the
8 individual.

9 2. For each year of obligated services that an
10 individual contracts to serve in an area of defined need,
11 the director may pay an amount not to exceed the maximum
12 amounts allowed under the National Health Service Corps Loan
13 Repayment Program, 42 U.S.C. Section 2541-1, P.L. 106-213,
14 on behalf of the individual for loans described in
15 subsection 1 of this section.

16 3. The department may enter into an agreement with the
17 holder of the loans for which repayments are made pursuant
18 to the [health professional student loan payment] **Missouri**

19 **state loan repayment** program to establish a schedule for the
20 making of such payments if the establishment of such a
21 schedule would result in reducing the costs to the state.

22 4. Any qualifying communities providing a portion of a
23 loan repayment shall be considered first for placement.

191.614. 1. [An individual who has entered into a
2 written contract with the department; and in the case of an
3 individual who is enrolled in the final year of a course of
4 study and fails to maintain an acceptable level of academic
5 standing in the educational institution in which such
6 individual is enrolled or voluntarily terminates such
7 enrollment or is dismissed from such educational institution
8 before completion of such course of study or fails to become
9 licensed pursuant to chapter 331, 332 or 334 within one year
10 shall be liable to the state for the amount which has been
11 paid on his or her behalf under the contract.

12 2.] If an individual breaches the written contract of
13 the individual by failing either to begin such individual's
14 service obligation or to complete such service obligation,
15 the state shall be entitled to recover from the individual
16 an amount equal to the sum of:

17 (1) The total of the amounts prepaid by the state on
18 behalf of the individual;

19 (2) The interest on the amounts which would be payable
20 if at the time the amounts were paid they were loans bearing
21 interest at the maximum prevailing rate as determined by the
22 Treasurer of the United States;

23 (3) An amount equal to any damages incurred by the
24 department as a result of the breach; **and**

25 (4) Any legal fees or associated costs incurred by the
26 department or the state of Missouri in the collection of
27 damages.

28 [3.] 2. The department may act on behalf of a
29 qualified community to recover from an individual described
30 in [subsections 1 and 2 of] this section the portion of a
31 loan repayment paid by such community for such individual.

191.615. 1. The department shall submit a grant
2 application to the Secretary of the United States Department
3 of Health and Human Services as prescribed by the secretary
4 to obtain federal funds to finance the [health professional
5 student] **Missouri state** loan repayment program.

6 2. Sections 191.600 to 191.615 shall not be construed
7 to require the department to enter into contracts with
8 individuals who qualify for the [health professional
9 student] **Missouri state** loan repayment program when federal
10 and state funds are not available for such purpose.

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