

2001 DRAFTING REQUEST

Bill

Received: **10/03/2000**

Received By: **kahlepj**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-7329**

By/Representing: **Walker**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Econ. Development - misc.**

Extra Copies: **ISR**

Pre Topic:

DOA:.....Walker -

Topic:

Create a dentist loan assistance program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 10/10/2000	hhagen 10/11/2000		_____			
/1			martykr 10/12/2000	_____	lrb_docadmin 10/12/2000		
/2	kahlepj 12/19/2000	hhagen 12/19/2000	pgreensl 12/20/2000	_____	gretskl 12/20/2000		
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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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<END>

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13 3/4 jld *Am 3/7* *cl 2/7*
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Medium

Dental Loan Assistance Program. This change creates a Dental Loan Assistance Program, similar to the Physician Loan Assistance Program in s. 560.183, Wisconsin Statutes. Commerce will repay loans over a three-year period for dentists who commit to practicing for three years in dental shortage areas. If a dentist leaves before the end of the three-year commitment period, penalties similar to those for the physicians will apply. Also, a dentist will be added to the membership of the Rural Health Development Council in s. 15.157 (8), Stats.

G. Dental Loan Assistance Program

Create a Dental Loan Assistance Program, similar to the Physician Loan Assistance Program in s. 560.183, Wisconsin Statutes. Commerce will repay loans over a three-year period for dentists who commit to practicing for three years in dental shortage areas. If a dentist leaves before the end of the three-year commitment period, penalties similar to those for the physicians will apply. Also, add a dentist to the membership of the Rural Health Development Council in s. 15.157 (8).

Dental Loan Assistance Program

Expand the Physician Loan Assistance Program in s. 560.183, Wisconsin Statutes to become the Physician and Dental Loan Assistance Program. Commerce will repay loans over a three year period for dentists who commit to practicing for three years in dental shortage areas. If a dentist leaves before the end of the three year commitment period penalties similar to those for the physicians will apply. Also, add a dentist to the membership of the Rural Health Development Council in s. 15.157 (8).

Add the following definitions:

- ★ "Dentist" means a dentist as licensed by the State of Wisconsin, as defined in s. 447.03(1), and who practices general or pediatric dentistry.
- ★ "Dental Health Shortage Area" means an area that is designated by the federal department of health and human services under 42 CFR part 5, Appendix B, as having a shortage of dental health professionals.

(b) The board shall determine whether, and the extent to which, in order to receive a loan under sub. (5r), a business must contribute from a source other than the state a portion of the cost of the project, except that the board may not require a business to contribute more than 20% of the cost of the project. The contribution may be in cash or in kind. The board shall determine what services or materials may be used as in-kind contributions.

(6r) The board shall give priority for grants or loans under this section for projects related to brownfields redevelopment.

(7) (a) Except as provided in par. (am), the department shall designate staff to evaluate applications for grants or loans and assist the board under this section. The board shall act on an application for a grant or loan at its next regularly scheduled meeting after the department determines that the application is complete, except that the board shall act on an application for a loan under sub. (5r) and advise the applicant of its decision within 45 days after the department determines that the application is complete.

(am) The department of commerce and the department of agriculture, trade and consumer protection shall designate staff to evaluate applications for grants or loans for purposes related to agricultural businesses and to make recommendations and assist the board with respect to those applications.

(b) The board or department shall deposit all interest or principal payments received for loans made under this section in the appropriation under s. 20.143 (1) (ir).

(d) The department or board may not limit the time period during which applications for grants and loans under this section may be accepted.

History: 1989 a. 31, 359; 1993 a. 16; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

560.175 Urban area early planning grants. (1) In this section:

(a) "Early planning project" means the preliminary stages of considering and planning the expansion or start-up of a business that is or will be located in an urban area in this state.

(b) "Urban area" means any of the following:

1. A city, village or town that is located in a county with a population density of at least 150 persons per square mile.

2. A city, village or town with a population of more than 6,000.

(2) Subject to subs. (3) and (6), the department may make a grant from the appropriation under s. 20.143 (1) (c) to a person to fund an early planning project.

(3) The department may not award a grant to a person under this section unless the person submits an application, in a form required by the department, that contains or describes all of the following:

(a) The location of the new or expanding business.

(b) The ownership structure of the new or expanding business.

(c) The product or service provided by the new or expanding business.

(d) The market for the product or service described in par. (c).

(e) Competition within the market described in par. (d).

(f) Any competitive advantages of the new or expanding business.

(g) The person's estimate of the gross revenue of the new or expanding business over a period specified by the department.

(h) The process for manufacturing the product, or providing the services, of the new or expanding business.

(i) An estimate of the number of jobs that will be created by the new or expanding business.

(j) The person's experience and training.

(k) The person's estimate of the profit that will be generated by the new or expanding business over a period specified by the department.

(L) The person's estimate of the capital required to complete the early planning project.

(m) Potential sources of financing for the early planning project.

(n) Any other information that the department requests.

(4) A person who receives a grant under this section may use the grant proceeds only for any of the following:

(a) To perform a business feasibility study.

(b) To prepare a detailed marketing plan.

(c) To prepare a detailed business plan.

(5) In order to receive a grant under this section a person shall contribute cash, from a source other than the state, in an amount that equals at least 25% of the total cost of the project.

(6) (a) In any fiscal biennium, the department may not award to any one person more than \$15,000 in grants under this section.

(b) In any fiscal biennium, the department may not award more than \$250,000 in grants under this section.

History: 1999 a. 9.

560.18 Forestry education grant program. (1) From the appropriation under s. 20.143 (1) (t), the department may award grants to nonprofit organizations, as defined in s. 560.20 (1) (d), to develop forestry educational programs and instructional materials for use in the public schools. The department may not award a grant unless it enters into a memorandum of understanding with the grant recipient and the director of the timber management program at the University of Wisconsin-Stevens Point regarding the use of the funds.

(2) The recipient of a grant under sub. (1) shall submit the programs and materials developed with the funds to the department and the director of the timber management program at the University of Wisconsin-Stevens Point College of Natural Resources for approval. Upon request, the grant recipient shall provide approved programs and materials to school districts free of charge.

History: 1997 a. 27.

560.183 Physician loan assistance program. (1) DEFINITIONS. In this section:

(ac) "Clinic hours" means hours spent working with patients in a clinic. *Definitions of dentist & DHA*

(ag) "Eligible practice area" means a primary care shortage area, a mental health shortage area, an American Indian reservation or trust lands of an American Indian tribe.

(aj) "Health professional shortage area" means an area that is designated by the federal department of health and human services under 42 CFR part 5, appendix A, as having a shortage of medical care professionals.

(ap) "Mental health shortage area" means an area that is designated by the federal department of health and human services under 42 CFR part 5, appendix C, as having a shortage of psychiatric professionals, excluding a state or federal prison and a state or county mental hospital.

(b) "Physician" means a physician, as defined in s. 448.01 (5), who specializes in family practice, general internal medicine, general pediatrics, obstetrics and gynecology, or psychiatry.

(cm) "Primary care shortage area" means an area that is in a primary care health professional shortage area as determined by the federal department of health and human services under 42 CFR part 5, appendix A, excluding a state or federal prison.

(2) ELIGIBILITY. (a) The department may repay, on behalf of a physician, up to \$50,000 in educational loans obtained by the physician from a public or private lending institution for education in an accredited school of medicine, or for postgraduate medical training. *or dental or dentistry*

(b) A physician who is a participant in the national health service corps scholarship program under 42 USC 254n, or a physician who was a participant in that program and who failed to carry

560.183 DEPARTMENT OF COMMERCE

out his or her obligations under that program, is not eligible for loan repayment under this section.

(3) AGREEMENT. (a) The department shall enter into a written agreement with the physician. In the agreement, the physician shall agree to practice at least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state, except that a physician specializing in psychiatry may only agree to practice psychiatry in a mental health shortage area and a physician in the expanded loan assistance program under sub. (9) may only agree to practice at a public or private nonprofit entity in a health professional shortage area. The physician shall also agree to care for patients who are insured or for whom health benefits are payable under medicare, medical assistance or any other governmental program.

(b) The agreement shall specify that the responsibility of the department to make the payments under the agreement is subject to the availability of funds in the appropriations under s. 20.143 (1) (ic), (jm) and (kr).

(4) LOAN REPAYMENT. Principal and interest due on loans, exclusive of any penalties, may be repaid by the department at the following rate:

(a) Up to 40% of the principal of the loan or \$20,000, whichever is less, during the first year of participation in the program under this section.

(b) Up to an additional 40% of the principal of the loan or \$20,000, whichever is less, during the 2nd year of participation in the program under this section.

(c) Up to an additional 20% of the principal of the loan or \$10,000, whichever is less, during the 3rd year of participation in the program under this section.

(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE. (a) The obligation of the department to make payments under an agreement entered into under sub. (3) (b) is subject to the availability of funds in the appropriations under s. 20.143 (1) (jc), (jm) and (kr).

(b) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.143 (1) (jc), (jm) and (kr), the department shall establish priorities among the eligible applicants based upon the following considerations:

1. The degree to which there is an extremely high need for medical care in the eligible practice area or health professional shortage area in which the physician desires to practice.

2. The likelihood that a physician will remain in the eligible practice area or health professional shortage area in which he or she desires to practice after the loan repayment period.

3. The per capita income of the eligible practice area or health professional shortage area in which a physician desires to practice.

4. The financial or other support for physician recruitment and retention provided by individuals, organizations, or local governments in the eligible practice area or health professional shortage area in which a physician desires to practice.

5. The geographic distribution of the physicians who have entered into loan repayment agreements under this section and the geographic distribution of the eligible practice areas or health professional shortage areas in which the eligible applicants desire to practice.

6. Other considerations that the department may specify by rule.

(d) An agreement under sub. (3) does not create a right of action against the state on the part of the physician or the lending institution for failure to make the payments specified in the agreement.

(6) LOCAL PARTICIPATION. The department shall encourage contributions to the program under this section by counties, cities,

villages and towns. Funds received under this subsection shall be deposited in the appropriation under s. 20.143 (1) (jm).

(8) PENALTIES. (a) The department shall, by rule, establish penalties to be assessed by the department against physicians who breach an agreement entered into under sub. (3) (a). The rules shall do all of the following:

- 1. Specify what actions constitute a breach of the agreement.
- 2. Provide specific penalty amounts for specific breaches.
- 3. Provide exceptions for certain actions, including breaches resulting from death or disability.

(b) Any penalties assessed and collected under this subsection shall be credited to the appropriation account under s. 20.143 (1) (jc).

(8) ADMINISTRATIVE CONTRACT. From the appropriation under s. 20.143 (1) (kr), the department shall contract with the board of regents of the University of Wisconsin System for administrative services from the office of rural health of the department of professional and community development of the University of Wisconsin Medical School. Under the contract, the office of rural health shall do all of the following:

(b) Advise the department and rural health development council on the identification of eligible practice areas with an extremely high need for medical care.

(d) Assist the department to publicize the program under this section to physicians and eligible communities.

(e) Assist physicians who are interested in applying for the program under this section.

(f) Assist communities in obtaining physicians' services through the program under this section.

(g) Assist the department with the general operation of the program under this section.

(9) EXPANDED LOAN ASSISTANCE PROGRAM. The department may agree to repay loans as provided under this section on behalf of a physician under an expanded physician loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded physician loan assistance program, a physician must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

(a) The physician must be a U.S. citizen.

(b) The physician may not have a judgment lien against his or her property for a debt to the United States.

(c) The physician must agree to do all of the following:

- 1. Accept medicare assignment as payment in full for services or articles provided.
- 2. Use a sliding fee scale or a comparable method of determining payment arrangements for patients who are not eligible for medicare or medical assistance and who are unable to pay the customary fee for the physician's services.
- 3. Practice at a public or private nonprofit entity in a health professional shortage area.

History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

560.184 Health care provider loan assistance program. (1) DEFINITIONS. In this section:

(ac) "Clinic hours" has the meaning given in s. 560.183 (1) (ac).

(ad) "Council" means the rural health development council.

(am) "Eligible practice area" means a primary care shortage area, an American Indian reservation or trust lands of an American Indian tribe.

(b) "Health care provider" means a physician assistant, nurse-midwife or nurse practitioner.

(bp) "Health professional shortage area" has the meaning given in s. 560.183 (1) (aj).

& a dentist may only agree to practice in a dental health shortage area

or dentist or DHSA

or DHSA

or dentist

or dentist

& dental or dentist

or DHSA

or dentist

or dentist

& dental

or dentist

or dentist

or dentist



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0645/1
PJK
mini...
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&
jld

DOA:.....Walker - Create a dentist loan assistance program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

SOON
(10-10)
D-note

do not get cut

- 1 AN ACT *relating to:* expanding the physician loan assistance program to
- 2 include dentists.

Analysis by the Legislative Reference Bureau

✓ **COMMERCE AND ECONOMIC DEVELOPMENT**

✓ **ECONOMIC DEVELOPMENT**

(department)

Under current law, the department of commerce administers the physician and health care provider loan assistance programs. Under the physician loan assistance program, the department may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a physician who specializes in family practice, general internal medicine, general pediatrics, obstetrics and gynecology, or psychiatry and who agrees to practice at least 32 hours per week for three years in a clinic in one or more eligible practice areas in this state. For purposes of the physician loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an area with a shortage of psychiatrists (a mental health shortage area), an American Indian reservation, or trust lands of an American Indian tribe. Under the health care provider loan assistance program, the department may repay, over a three-year period, up to \$25,000 in educational loans on behalf of a physician assistant, nurse-midwife, or nurse practitioner who agrees to practice at least 32 hours per week in a clinic in one or more eligible practice areas in this state. For purposes of

for three years

the health care provider loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an American Indian reservation, or trust lands of an American Indian tribe.

The bill expands the physician loan assistance program to include dentists. Under the bill, the department of ~~commerce~~ may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a dentist who practices general or pediatric dentistry and who agrees to practice at least 32 hours per week for three years in a clinic in an area designated by the federal department of health and human services as having a shortage of dental professionals. A dentist participating in the program is subject to the same requirement as a physician to enter into a written agreement with the department ~~of commerce~~, the same priority considerations as a physician if funding is not sufficient for all applicants, and the same penalty provisions as a physician for breaching the three-year practice agreement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.157 (8) (intro.) of the statutes is amended to read:

2 15.157 (8) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the
3 department of commerce a rural health development council consisting of ~~11~~ 12
4 members nominated by the governor, and with the advice and consent of the senate
5 appointed, for 5-year terms, and the secretaries of commerce and health and family
6 services, or their designees. The appointed members shall include all of the
7 following:

History: 1971 c. 321; 1975 c. 39; 1979 c. 361 ss. 9 to 11, 112; 1981 c. 349; 1983 a. 36, 83, 84, 192, 387; 1985 a. 29; 1987 a. 1, 27, 109; 1989 a. 31 s. 70; 1989 a. 317; 1991 a. 39, 302; 1993 a. 16; 1995 a. 27 ss. 128 to 133, 152 to 162 and 9116 (5); 1995 a. 227; 1997 a. 27, 300; 1999 a. 82.

8 **SECTION 2.** 15.157 (8) (g) of the statutes is amended to read:

9 15.157 (8) (g) A physician licensed under ch. 448, a dentist licensed under ch.
10 447, and a nurse licensed under ch. 441, both all of whom practice in a rural area,
11 and a representative of public health services.

History: 1971 c. 321; 1975 c. 39; 1979 c. 361 ss. 9 to 11, 112; 1981 c. 349; 1983 a. 36, 83, 84, 192, 387; 1985 a. 29; 1987 a. 1, 27, 109; 1989 a. 31 s. 70; 1989 a. 317; 1991 a. 39, 302; 1993 a. 16; 1995 a. 27 ss. 128 to 133, 152 to 162 and 9116 (5); 1995 a. 227; 1997 a. 27, 300; 1999 a. 82.

12 **SECTION 3.** 20.143 (1) (jc) of the statutes is amended to read:

1 20.143 (1) (jc) *Physician, dentist, and health care provider loan assistance*
 2 ~~programs-repayments~~ ^{plan} *penalties*. All moneys received in penalties under ss. 560.183
 3 (6m) and 560.184 (6m), to be used for loan repayments under ss. 560.183 and
 4 560.184.

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 4. 20.143 (1) (jm) of the statutes is amended to read:

6 20.143 (1) (jm) *Physician and dentist loan assistance program; local*
 7 *contributions*. All moneys received under s. 560.183 (6) to be used for loan
 8 repayments under s. 560.183.

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 SECTION 5. 20.143 (1) (kr) of the statutes is amended to read:

10 20.143 (1) (kr) *Physician, dentist, and health care provider loan assistance*
 11 *programs, repayments and contract*. All moneys transferred from the appropriation
 12 account under s. 20.505 (8) (hm) 6r. and all moneys transferred under 1999
 13 Wisconsin Act 9, section 9210 (1), for loan repayments under ss. 560.183 and 560.184
 14 and for contracting under ss. 560.183 (8) and 560.184 (7).

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15 SECTION 6. 560.183 (title) of the statutes is amended to read:

16 560.183 (title) *Physician and dentist loan assistance program*.

History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

17 SECTION 7. 560.183 (1) (ad) of the statutes is created to read:

1 560.183 (1) (ad) “Dental health shortage area” means an area that is
2 designated by the federal department of health and human services under 42 CFR
3 part 5, appendix B, as having a shortage of dental professionals.

4 **SECTION 8.** 560.183 (1) (ae) of the statutes is created to read:

5 560.183 (1) (ae) “Dentist” means a dentist, as defined in s. 447.01 (7), who is
6 licensed under ch. 447 and who practices general or pediatric dentistry.

7 **SECTION 9.** 560.183 (2) (a) of the statutes is amended to read:

8 560.183 (2) (a) The department may repay, on behalf of a physician or dentist,
9 up to \$50,000 in educational loans obtained by the physician or dentist from a public
10 or private lending institution for education in an accredited school of medicine or
11 dentistry or for postgraduate medical or dental training.

12 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27, 237; 1999 a. 9.

13 **SECTION 10.** 560.183 (3) (a) of the statutes is amended to read:

14 560.183 (3) (a) The department shall enter into a written agreement with the
15 physician. ~~In the agreement, the physician shall agree, in which the physician~~
16 agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible
17 practice areas in this state, except that a physician specializing in psychiatry may
18 only agree to practice psychiatry in a mental health shortage area and a physician
19 in the expanded loan assistance program under sub. (9) may only agree to practice
20 at a public or private nonprofit entity in a health professional shortage area. The
21 physician shall also agree to care for patients who are insured or for whom health
22 benefits are payable under medicare, medical assistance, or any other governmental
program.

23 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27, 237; 1999 a. 9.

SECTION 11. 560.183 (3) (am) of the statutes is created to read:

1 560.183 (3) (am) ✓ The department shall enter into a written agreement with the
2 dentist, in which the dentist agrees to practice at least 32 clinic hours per week for
3 3 years in one or more dental health shortage areas in this state. The dentist shall
4 also agree to care for patients who are insured or for whom dental health benefits are
5 payable under medicare, medical assistance, or any other governmental program.

6 **SECTION 12.** 560.183 (5) (b) 1. of the statutes is amended to read:

7 560.183 (5) (b) 1. The degree to which there is an extremely high need for
8 medical care in the eligible practice area or health professional shortage area in
9 which ~~the~~ a physician desires to practice and the degree to which there is an
10 extremely high need for dental care in the dental health shortage area in which a
11 dentist desires to practice.

12 **History:** 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

12 **SECTION 13.** 560.183 (5) (b) 2. of the statutes is amended to read:

13 560.183 (5) (b) 2. The likelihood that a physician will remain in the eligible
14 practice area or health professional shortage area, and that a dentist will remain in
15 the dental health shortage area, in which he or she desires to practice after the loan
16 repayment period.

17 **History:** 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

17 **SECTION 14.** 560.183 (5) (b) 3. of the statutes is amended to read:

18 560.183 (5) (b) 3. The per capita income of the eligible practice area or health
19 professional shortage area in which a physician desires to practice and of the dental
20 health shortage area in which a dentist desires to practice.

21 **History:** 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

21 **SECTION 15.** 560.183 (5) (b) 4. of the statutes is amended to read:

22 560.183 (5) (b) 4. The financial or other support for physician recruitment and
23 retention provided by individuals, organizations, or local governments in the eligible
24 practice area or health professional shortage area in which a physician desires to

1 practice and for dentist recruitment and retention provided by individuals,
2 organizations, or local governments in the dental health shortage area in which a
3 dentist desires to practice.

4 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

4 **SECTION 16.** 560.183 (5) (b) 5. of the statutes is amended to read:

5 560.183 (5) (b) 5. The geographic distribution of the physicians and dentists
6 who have entered into loan repayment agreements under this section and the
7 geographic distribution of the eligible practice areas ~~or~~, health professional shortage
8 areas, and dental health shortage areas in which the eligible applicants desire to
9 practice.

10 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

10 **SECTION 17.** 560.183 (5) (d) of the statutes is amended to read:

11 560.183 (5) (d) An agreement under sub. (3) does not create a right of action
12 against the state on the part of the physician, dentist, or the lending institution for
13 failure to make the payments specified in the agreement.

14 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

14 **SECTION 18.** 560.183 (6m) (a) (intro.) of the statutes is amended to read:

15 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to
16 be assessed by the department against physicians and dentists who breach an
17 agreement agreements entered into under sub. (3) (a). The rules shall do all of the
18 following:

19 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

19 **SECTION 19.** 560.183 (8) (b) of the statutes is amended to read:

20 560.183 (8) (b) Advise the department and rural health development council
21 on the identification of eligible practice areas with an extremely high need for
22 medical care and dental health shortage areas with an extremely high need for
23 dental care.

History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

1 **SECTION 20.** 560.183 (8) (d) ^X of the statutes is amended to read:

2 560.183 (8) (d) Assist the department to publicize the program under this
3 section to physicians, dentists and eligible communities.

4 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

4 **SECTION 21.** 560.183 (8) (e) of the statutes is amended to read:

5 560.183 (8) (e) Assist physicians and dentists who are interested in applying
6 for the program under this section.

7 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

7 **SECTION 22.** 560.183 (8) (f) of the statutes is amended to read:

8 560.183 (8) (f) Assist communities in obtaining physicians' and dentists'
9 services through the program under this section.

10 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

10 **SECTION 23.** 560.183 (9) (intro.) of the statutes is amended to read:

11 560.183 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The department may
12 agree to repay loans as provided under this section on behalf of a physician or dentist
13 under an expanded physician and dentist loan assistance program that is funded
14 through federal funds in addition to state matching funds. To be eligible for loan
15 repayment under the expanded physician and dentist loan assistance program, a
16 physician or dentist must fulfill all of the requirements for loan repayment under
17 this section, as well as all of the following:

18 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

18 **SECTION 24.** 560.183 (9) (a) of the statutes is amended to read:

19 560.183 (9) (a) The physician or dentist must be a U.S. citizen.

20 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

20 **SECTION 25.** 560.183 (9) (b) of the statutes is amended to read:

21 560.183 (9) (b) The physician or dentist may not have a judgment lien against
22 his or her property for a debt to the United States.

23 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

23 **SECTION 26.** 560.183 (9) (c) (intro.) of the statutes is amended to read:

1 560.183 (9) (c) (intro.) The physician or dentist must agree to do all of the
2 following:

3 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

3 **SECTION 27.** 560.183 (9) (c) 2. of the statutes is amended to read:

4 560.183 (9) (c) 2. Use a sliding fee scale or a comparable method of determining
5 payment arrangements for patients who are not eligible for medicare or medical
6 assistance and who are unable to pay the customary fee for the physician's or
7 dentist's services.

8 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

8 **SECTION 28.** 560.183 (9) (c) 3. of the statutes is amended to read:

9 560.183 (9) (c) 3. Practice at a public or private nonprofit entity in a health
10 professional shortage area, if a physician, or in a dental health shortage area, if a
11 dentist.

12 History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

12 **SECTION 29.** 560.185 (1) of the statutes is amended to read:

13 560.185 (1) Advise the department on matters related to the physician and
14 dentist loan assistance program under s. 560.183 and the health care provider loan
15 assistance program under s. 560.184.

16 History: 1989 a. 317, 359; 1991 a. 39; 1993 a. 16; 1997 a. 27.

(END)

D - note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0645/7dn

PJK:m:m...

hmb

dr

JLD

Dakelene

Bill:

1. I referred to the addition to the program as the "dentist" rather than "dental" loan assistance program to keep it consistent with the designations of the other two programs.
2. The definition of "dental health shortage area" refers to a shortage of "dental professionals" rather than "dental health professionals" because the federal regulation refers to a shortage of "dental professionals."

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0645/1dn
PJK:hmh&jld:km

October 11, 2000

Bill:

1. I referred to the addition to the program as the "dentist" rather than "dental" loan assistance program to keep it consistent with the designations of the other two programs.
2. The definition of "dental health shortage area" refers to a shortage of "dental professionals," rather than "dental health professionals" because the federal regulation refers to a shortage of "dental professionals."

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Kahler, Pam

From: Walker, William
Sent: Tuesday, December 19, 2000 9:42 AM
To: Kahler, Pam
Subject: FW: Additional Dentist Loan Question

Commerce would like dentists added to s. 560.183(2)(b) after all. Please do. Thanks.

-----Original Message-----

From: Cornelius, Louie
Sent: Tuesday, December 19, 2000 9:37 AM
To: Walker, William
Subject: FW: Additional Dentist Loan Question

F.Y.I.

-----Original Message-----

From: Thomas, Jane
Sent: Tuesday, December 19, 2000 8:09 AM
To: Cornelius, Louie
Subject: RE: Additional Dentist Loan Question

Yes, dentists are eligible as are dental hygienists and all the other health care providers we have in our program. We just haven't done anything with the non-physician providers since our program is so small. Please do include dentists in the federal statutory reference.

-----Original Message-----

From: Cornelius, Louie
Sent: Monday, December 18, 2000 2:40 PM
To: Thomas, Jane
Subject: FW: Additional Dentist Loan Question

An additional question. Can you help?

-----Original Message-----

From: Walker, William
Sent: Monday, December 18, 2000 2:40 PM
To: Cornelius, Louie
Subject: Additional Dentist Loan Question

An additional question about the Commerce dentist loan draft for you to pass on to whomever is appropriate. Can dentists participate in the national health service corps scholarship program mentioned in s. 560.183(2)(b)?

If so, we'll need to add dentists to the provisions in that section.

Kahler, Pam

From: Kahler, Pam
Sent: Monday, December 18, 2000 2:15 PM
To: Walker, William
Subject: RE: Dentist Loan

My draft keeps "eligible practice area" and "dental health shortage area" separate. That is why the definition of "eligible practice area" is not changed to include "dental health shortage area." For one thing, I don't think it makes sense to say that a physician or dentist must agree to practice in an eligible practice area, except that a dentist may only agree to practice in a dental health shortage area. Why require the whole range for a dentist and then limit a dentist to one portion of that whole range? It seems inconsistent to me. Additionally, may a physician practice in a dental health shortage area? If "eligible practice area" includes "dental health shortage area," a physician could practice in a dental health shortage area, unless physicians were also limited to only the portions of the whole range that are not dental health shortage areas.

The reason I did not add "dentists" to s. 560.183 (2) (b) is because the Commerce instructions did not include dentists there. I have no idea if dentists may be participants in the national health service corps scholarship program. If they may be participants, I assume that dentists should be added there.

Another thing I noticed in both drafts, I do not know why the whole section of s. 20.143 (1) (jc), (jm), and (kr) is amended. I don't see any amending in the text. Only the titles should be amended.

-----Original Message-----

From: Walker, William
Sent: Monday, December 18, 2000 1:02 PM
To: Kahler, Pam
Subject: Dentist Loan

The leg council committee on dental health has a dental loan draft (attached)

In comparing it to the Commerce draft I notice some technical differences. Could you take a minute to review them? They appear to be things that should be in our bill but I'm not sure if they are handled elsewhere in your draft.

Thanks!

- 560.183(1)(ag). JLC draft redefines eligible practice area.

- (2)(b). JLC draft adds dentists here.

Bill Walker

Executive Policy and Budget Analyst
Department of Administration
(608) 266-7329

<< File: 00341.pdf >>

1 **AN ACT** to amend 15.157 (8) (intro.) and (g), 20.143 (1) (jc), (jm) and (k), 560.183
2 (title), 560.183 (1) (ag), 560.183 (2) (a) and (b), 560.183 (3) (a), 560.183 (5) (b) 1.,
3 2., 3., 4., 5. and (d), 560.183 (6m) (a) (intro.), 560.183 (8) (b), (d), (e) and (f),
4 560.183 (9), 560.184 (1) (am) and (h), 560.184 (3) (a) and 560.185 (1); and to create
5 560.183 (1) (ad), 560.183 (1) (ae), 560.184 (1) (ag) and 560.184 (1) (aj) of the
6 statutes; **relating to:** providing loan assistance to dentists and dental hygienists who
7 practice in underserved areas.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on dental care access.

Under current law, the department of commerce administers a physician loan assistance program and a health care provider loan assistance program. Current law also has established a rural health development council, which advises the department on operation of the two programs. The physician loan assistance program provides loan assistance to physicians who practice in specified eligible practice areas and the health care provider loan assistance program provides such assistance to physician assistants, nurse-midwives, and nurse practitioners who practice in specified eligible practice areas. The amount of the assistance is \$50,000 under the physician loan assistance program and \$25,000 under the health care provider loan assistance program, both repaid by the department over a three-year period.

The draft expands the physician loan assistance program to include dentists and renames it the physician and dentist loan assistance program. In addition, the draft expands the health care provider loan assistance program to include dental hygienists. Finally, the draft includes a dentist and a dental hygienist on the rural health development council.

8 **SECTION 1.** 15.157 (8) (intro.) and (g) of the statutes are amended to read:

1 15.157 (8) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the
2 department of commerce a rural health development council consisting of ~~11~~ 13 members
3 nominated by the governor, and with the advice and consent of the senate appointed, for
4 5-year terms, and the secretaries of commerce and health and family services, or their
5 designees. The appointed members shall include all of the following:

6 (g) A physician licensed under ch. 448 ~~and~~, a nurse licensed under ch. 441, ~~both a dentist~~
7 and a dental hygienist licensed under ch. 447, all of whom practice in a rural area, and a
8 representative of public health services.

9 **SECTION 2.** 20.143 (1) (jc), (jm) and (kr) of the statutes are amended to read:

10 20.143 (1) (jc) *Physician and dentist and health care provider loan assistance programs*
11 *repayments; penalties.* All moneys received in penalties under ss. 560.183 (6m) and 560.184
12 (6m), to be used for loan repayments under ss. 560.183 and 560.184.

13 (jm) *Physician and dentist loan assistance program; local contributions.* All moneys
14 received under s. 560.183 (6) to be used for loan repayments under s. 560.183.

15 (kr) *Physician and dentist and health care provider loan assistance programs,*
16 *repayments and contract.* All moneys transferred from the appropriation account under s.
17 20.505 (8) (hm) Gr. and all moneys transferred under 1999 Wisconsin Act 9, section 9210 (1),
18 for loan repayments under ss. 560.183 and 560.184 and for contracting under ss. 560.183 (8)
19 and 560.184 (7).

20 **SECTION 3.** 560.183 (title) of the statutes is amended to read:

21 **560.183 (title) Physician and dentist loan assistance program.**

22 **SECTION 4.** 560.183 (1) (ad) of the statutes is created to read:

1 560.183 (1) (ad) "Dental health professional shortage area" means an area that is
2 designated by the federal department of health and human services under 42 CFR part 5,
3 appendix B, as having a shortage of dental professionals.

4 **SECTION 5.** 560.183 (1) (ae) of the statutes is created to read:

5 560.183 (1) (ae) "Dentist" means an individual licensed under s. 447.04 (1).

6 **SECTION 6.** 560.183 (1) (ag) of the statutes is amended to read:

7 560.183 (1) (ag) "Eligible practice area" means a dental health professional shortage
8 area, a primary care shortage area, a mental health shortage area, an American Indian
9 reservation or trust lands of an American Indian tribe.

10 **SECTION 7.** 560.183 (2) (a) and (b) of the statutes are amended to read:

11 560.183 (2) (a) The department may repay, on behalf of a physician or dentist, up to
12 \$50,000 in educational loans obtained by the physician or dentist from a public or private
13 lending institution for education in an accredited school of medicine or dentistry or for
14 postgraduate medical training.

15 (b) A physician or dentist who is a participant in the national health service corps
16 scholarship program under 42 USC 254n, or a physician or dentist who was a participant in
17 that program and who failed to carry out his or her obligations under that program, is not
18 eligible for loan repayment under this section.

19 **SECTION 8.** 560.183 (3) (a) of the statutes is amended to read:

20 560.183 (3) (a) The department shall enter into a written agreement with the physician
21 or dentist. In the agreement, the physician or dentist shall agree to practice at least 32 clinic
22 hours per week for 3 years in one or more eligible practice areas in this state, except that a
23 physician specializing in psychiatry may only agree to practice psychiatry in a mental health
24 shortage area, a dentist may only agree to practice dentistry in a dental health professional

1 shortage area and a physician in the expanded loan assistance program under sub. (9) may only
2 agree to practice at a public or private nonprofit entity in a health professional shortage area.
3 The physician shall also agree to care for patients who are insured or for whom health benefits
4 are payable under medicare, medical assistance or any other governmental program. The
5 dentist shall also agree to care for patients for whom health benefits are payable under medical
6 assistance.

7 **SECTION 9.** 560.183 (5) (b) 1., 2., 3., 4., 5. and (d) of the statutes are amended to read:

8 560.183 (5) (b) 1. The degree to which there is an extremely high need for medical care
9 or dental care in the eligible practice area or health professional shortage area in which the
10 physician desires to practice.

11 2. The likelihood that a physician or dentist will remain in the eligible practice area or
12 health professional shortage area in which he or she desires to practice after the loan repayment
13 period.

14 3. The per capita income of the eligible practice area or health professional shortage area
15 in which a physician or dentist desires to practice.

16 4. The financial or other support for physician or dentist recruitment and retention
17 provided by individuals, organizations, or local governments in the eligible practice area or
18 health professional shortage area in which a physician or dentist desires to practice.

19 5. The geographic distribution of the physicians or dentists who have entered into loan
20 repayment agreements under this section and the geographic distribution of the eligible
21 practice areas or health professional shortage areas in which the eligible applicants desire to
22 practice.

1 (d) An agreement under sub. (3) does not create a right of action against the state on the
2 part of the physician or dentist or the lending institution for failure to make the payments
3 specified in the agreement.

4 **SECTION 10.** 560.183 (6m) (a) (intro.) of the statutes is amended to read:

5 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to be
6 assessed by the department against physicians or dentists who breach an agreement entered
7 into under sub. (3) (a). The rules shall do all of the following:

8 **SECTION 11.** 560.183 (8) (b), (d), (e) and (f) of the statutes are amended to read:

9 560.183 (8) (b) Advise the department and rural health development council on the
10 identification of eligible practice areas with an extremely high need for medical or dental care.

11 (d) Assist the department to publicize the program under this section to physicians,
12 dentists and eligible communities.

13 (e) Assist physicians and dentists who are interested in applying for the program under
14 this section.

15 (f) Assist communities in obtaining physicians' and dentists' services through the
16 program under this section.

17 **SECTION 12.** 560.183 (9) of the statutes is amended to read:

18 560.183 (9) EXPANDED LOAN ASSISTANCE PROGRAM. The department may agree to repay
19 loans as provided under this section on behalf of a physician or dentist under an expanded
20 physician or dentist loan assistance program that is funded through federal funds in addition
21 to state matching funds. To be eligible for loan repayment under the expanded physician or
22 dentist loan assistance program, a physician or dentist must fulfill all of the requirements for
23 loan repayment under this section, as well as all of the following:

24 (a) The physician or dentist must be a U.S. citizen.

1 (b) The physician or dentist may not have a judgment lien against his or her property
2 for a debt to the United States.

3 (c) The physician or dentist must agree to do all of the following:

4 1. ~~Accept~~ If the provider is a physician, accept medicare assignment as payment in full
5 for services or articles provided.

6 2. Use a sliding fee scale or a comparable method of determining payment arrangements
7 for patients who are not eligible for medicare or medical assistance and who are unable to pay
8 the customary fee for the physician's or dentist's services.

9 3. Practice at a public or private nonprofit entity in a health professional shortage area
10 or dental health professional shortage area.

11 **SECTION 13.** 560.184 (1) (ag) of the statutes is created to read:

12 560.184 (1) (ag) "Dental health professional shortage area" has the meaning given in
13 s. 560.183 (1) (ad).

14 **SECTION 14.** 560.184 (1) (aj) of the statutes is created to read:

15 560.184 (1) (aj) "Dental hygienist" means an individual licensed under s. 447.04 (2).

16 **SECTION 15.** 560.184 (1) (am) and (b) of the statutes are amended to read:

17 560.184 (1) (am) "Eligible practice area" means a dental health professional shortage
18 area, a primary care shortage area, an American Indian reservation or trust lands of an
19 American Indian tribe.

20 (b) "Health care provider" means a dental hygienist, physician assistant, nurse-midwife
21 or nurse practitioner.

22 **SECTION 16.** 560.184 (3) (a) of the statutes is amended to read:

23 560.184 (3) (a) The department shall enter into a written agreement with the health care
24 provider. In the agreement, the health care provider shall agree to practice at least 32 clinic

1 hours per week for 3 years in one or more eligible practice areas in this state, except that a
2 health care provider in the expanded loan assistance program under sub. (8) may only agree
3 to practice at a public or private nonprofit entity in a health professional shortage area and a
4 dental hygienist may only agree to practice at a public or private nonprofit entity in a dental
5 health professional shortage area.

6 **SECTION 17.** 560.185 (1) of the statutes is amended to read:

7 560.185 (1) Advise the department on matters related to the physician and dentist loan
8 assistance program under s. 560.183 and the health care provider loan assistance program
9 under s. 560.184.

10

(END)

why not just title amended?? (jc), (jm), (kr)

various differences
dhpsa
vs
dhpa ← commerce

def of "dentist"

expansions / not include dental short h up shortage area
do want dentists org to be able to practice
= dental shortage

5 phy org = eligible
(draft does not differentiate)

commerce did not amend 560.183(2)(b) - I have idea
of dentists were eligible to participate
= that program
(I think leg council just inserted dental
after physician oversight appeared)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0645/2

PJK:hmh&jld:km

in my view stays

DOA:.....Walker - Create a dentist loan assistance program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

*SOON
(12-19)*

*do not
go out*

- 1 AN ACT ~~x~~; relating to: expanding the physician loan assistance program to
- 2 include dentists.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT
ECONOMIC DEVELOPMENT

Under current law, the department of commerce (department) administers the physician and health care provider loan assistance programs. Under the physician loan assistance program, the department may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a physician who specializes in family practice, general internal medicine, general pediatrics, obstetrics and gynecology, or psychiatry and who agrees to practice at least 32 hours per week for three years in a clinic in one or more eligible practice areas in this state. For purposes of the physician loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an area with a shortage of psychiatrists (a mental health shortage area), an American Indian reservation, or trust lands of an American Indian tribe. Under the health care provider loan assistance program, the department may repay, over a three-year period, up to \$25,000 in educational loans on behalf of a physician assistant, nurse-midwife, or nurse practitioner who agrees to practice at least 32 hours per week for three years in a clinic in one or more eligible practice areas in this

state. For purposes of the health care provider loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an American Indian reservation, or trust lands of an American Indian tribe.

The bill expands the physician loan assistance program to include dentists. Under the bill, the department may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a dentist who practices general or pediatric dentistry and who agrees to practice at least 32 hours per week for three years in a clinic in an area designated by the federal department of health and human services as having a shortage of dental professionals. A dentist participating in the program is subject to the same requirement as a physician to enter into a written agreement with the department, the same priority considerations as a physician if funding is not sufficient for all applicants, and the same penalty provisions as a physician for breaching the three-year practice agreement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 15.157 (8) (intro.) of the statutes is amended to read:

2 15.157 (8) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the
3 department of commerce a rural health development council consisting of ~~11~~ 12
4 members nominated by the governor, and with the advice and consent of the senate
5 appointed, for 5-year terms, and the secretaries of commerce and health and family
6 services, or their designees. The appointed members shall include all of the
7 following:

8 SECTION 2. 15.157 (8) (g) of the statutes is amended to read:

9 15.157 (8) (g) A physician licensed under ch. 448, a dentist licensed under ch.
10 447, and a nurse licensed under ch. 441, ~~both~~ all of whom practice in a rural area,
11 and a representative of public health services.

12 SECTION 3. 20.143 (1) (jc) of the statutes is amended to read:

13 20.143 (1) (jc) ~~Physician, dentist, and health care provider loan assistance~~
14 ~~programs repayments; penalties.~~ All moneys received in penalties under ss. 560.188

1 (6m) and 560.184 (6m), to be used for loan repayments under ss. 560.183 and
2 560.184.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 4.** 20.143 (1) (jm) of the statutes is amended to read:

4 20.143 (1) (jm) *Physician and dentist loan assistance program; local*
5 *contributions.* All moneys received under s. 560.183 (6) to be used for loan
6 repayments under s. 560.183.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 5.** 20.143 (1) (kr) of the statutes is amended to read:

8 20.143 (1) (kr) *Physician, dentist, and health care provider loan assistance*
9 *programs, repayments and contract.* All moneys transferred from the appropriation
10 account under s. 20.505 (8) (hm) 6r. and all moneys transferred under 1999
11 Wisconsin Act 9, section 9210 (1), for loan repayments under ss. 560.183 and 560.184
12 and for contracting under ss. 560.183 (8) and 560.184 (7).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 **SECTION 6.** 560.183 (title) of the statutes is amended to read:

14 **560.183 (title) Physician and dentist loan assistance program.**

15 **SECTION 7.** 560.183 (1) (ad) of the statutes is created to read:

16 560.183 (1) (ad) "Dental health shortage area" means an area that is
17 designated by the federal department of health and human services under 42 CFR
18 part 5, appendix B, as having a shortage of dental professionals.

19 **SECTION 8.** 560.183 (1) (ae) of the statutes is created to read:

20 560.183 (1) (ae) "Dentist" means a dentist, as defined in s. 447.01 (7), who is
21 licensed under ch. 447 and who practices general or pediatric dentistry.

Insert 3-12

Insert 4-5

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SECTION 9. 560.183 (2) (a) of the statutes is amended to read:

560.183 (2) (a) The department may repay, on behalf of a physician or dentist, up to \$50,000 in educational loans obtained by the physician or dentist from a public or private lending institution for education in an accredited school of medicine or dentistry or for postgraduate medical or dental training.

SECTION 10. 560.183 (3) (a) of the statutes is amended to read:

560.183 (3) (a) The department shall enter into a written agreement with the physician. ~~In the agreement, the physician shall agree, in which the physician agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state, except that a physician specializing in psychiatry may only agree to practice psychiatry in a mental health shortage area and a physician in the expanded loan assistance program under sub. (9) may only agree to practice at a public or private nonprofit entity in a health professional shortage area. The physician shall also agree to care for patients who are insured or for whom health benefits are payable under medicare, medical assistance, or any other governmental program.~~

SECTION 11. 560.183 (3) (am) of the statutes is created to read:

560.183 (3) (am) The department shall enter into a written agreement with the dentist, in which the dentist agrees to practice at least 32 clinic hours per week for 3 years in one or more dental health shortage areas in this state. The dentist shall also agree to care for patients who are insured or for whom dental health benefits are payable under medicare, medical assistance, or any other governmental program.

SECTION 12. 560.183 (5) (b) 1. of the statutes is amended to read:

560.183 (5) (b) 1. The degree to which there is an extremely high need for medical care in the eligible practice area or health professional shortage area in

1 which the a physician desires to practice and the degree to which there is an
2 extremely high need for dental care in the dental health shortage area in which a
3 dentist desires to practice.

4 **SECTION 13.** 560.183 (5) (b) 2. of the statutes is amended to read:

5 560.183 (5) (b) 2. The likelihood that a physician will remain in the eligible
6 practice area or health professional shortage area, and that a dentist will remain in
7 the dental health shortage area, in which he or she desires to practice after the loan
8 repayment period.

9 **SECTION 14.** 560.183 (5) (b) 3. of the statutes is amended to read:

10 560.183 (5) (b) 3. The per capita income of the eligible practice area or health
11 professional shortage area in which a physician desires to practice and of the dental
12 health shortage area in which a dentist desires to practice.

13 **SECTION 15.** 560.183 (5) (b) 4. of the statutes is amended to read:

14 560.183 (5) (b) 4. The financial or other support for physician recruitment and
15 retention provided by individuals, organizations, or local governments in the eligible
16 practice area or health professional shortage area in which a physician desires to
17 practice and for dentist recruitment and retention provided by individuals,
18 organizations, or local governments in the dental health shortage area in which a
19 dentist desires to practice.

20 **SECTION 16.** 560.183 (5) (b) 5. of the statutes is amended to read:

21 560.183 (5) (b) 5. The geographic distribution of the physicians and dentists
22 who have entered into loan repayment agreements under this section and the
23 geographic distribution of the eligible practice areas ~~or~~ health professional shortage
24 areas, and dental health shortage areas in which the eligible applicants desire to
25 practice.

1 **SECTION 17.** 560.183 (5) (d) of the statutes is amended to read:

2 560.183 (5) (d) An agreement under sub. (3) does not create a right of action
3 against the state on the part of the physician, dentist, or the lending institution for
4 failure to make the payments specified in the agreement.

5 **SECTION 18.** 560.183 (6m) (a) (intro.) of the statutes is amended to read:

6 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to
7 be assessed by the department against physicians and dentists who breach an
8 ~~agreement~~ agreements entered into under sub. (3) ~~(a)~~. The rules shall do all of the
9 following:

10 **SECTION 19.** 560.183 (8) (b) of the statutes is amended to read:

11 560.183 (8) (b) Advise the department and rural health development council
12 on the identification of eligible practice areas with an extremely high need for
13 medical care and dental health shortage areas with an extremely high need for
14 dental care.

15 **SECTION 20.** 560.183 (8) (d) of the statutes is amended to read:

16 560.183 (8) (d) Assist the department to publicize the program under this
17 section to physicians, dentists, and eligible communities.

18 **SECTION 21.** 560.183 (8) (e) of the statutes is amended to read:

19 560.183 (8) (e) Assist physicians and dentists who are interested in applying
20 for the program under this section.

21 **SECTION 22.** 560.183 (8) (f) of the statutes is amended to read:

22 560.183 (8) (f) Assist communities in obtaining physicians' and dentists'
23 services through the program under this section.

24 **SECTION 23.** 560.183 (9) (intro.) of the statutes is amended to read:

1 560.183 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The department may
2 agree to repay loans as provided under this section on behalf of a physician or dentist
3 under an expanded physician and dentist loan assistance program that is funded
4 through federal funds in addition to state matching funds. To be eligible for loan
5 repayment under the expanded physician and dentist loan assistance program, a
6 physician or dentist must fulfill all of the requirements for loan repayment under
7 this section, as well as all of the following:

8 **SECTION 24.** 560.183 (9) (a) of the statutes is amended to read:

9 560.183 (9) (a) The physician or dentist must be a U.S. citizen.

10 **SECTION 25.** 560.183 (9) (b) of the statutes is amended to read:

11 560.183 (9) (b) The physician or dentist may not have a judgment lien against
12 his or her property for a debt to the United States.

13 **SECTION 26.** 560.183 (9) (c) (intro.) of the statutes is amended to read:

14 560.183 (9) (c) (intro.) The physician or dentist must agree to do all of the
15 following:

16 **SECTION 27.** 560.183 (9) (c) 2. of the statutes is amended to read:

17 560.183 (9) (c) 2. Use a sliding fee scale or a comparable method of determining
18 payment arrangements for patients who are not eligible for medicare or medical
19 assistance and who are unable to pay the customary fee for the physician's or
20 dentist's services.

21 **SECTION 28.** 560.183 (9) (c) 3. of the statutes is amended to read:

22 560.183 (9) (c) 3. Practice at a public or private nonprofit entity in a health
23 professional shortage area, if a physician, or in a dental health shortage area, if a
24 dentist.

25 **SECTION 29.** 560.185 (1) of the statutes is amended to read:

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0645/2ins
PJK:hmlh&jld:km

INSERT 3-12

1 SECTION 1. 20.143 (1) (jc) (title) of the statutes is amended to read:

2 20.143 (1) (jc) (title) *Physician and dentist and health care provider loan*
3 *assistance programs ~~repayments~~; penalties.*

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 2. 20.143 (1) (jm) (title) of the statutes is amended to read:

5 20.143 (1) (jm) (title) *Physician and dentist loan assistance program; local*
6 *contributions.*

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608s, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186.

*****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 3. 20.143 (1) (kr) (title) of the statutes is amended to read:

8 20.143 (1) (kr) (title) *Physician and dentist and health care provider loan*
9 *assistance programs; repayments and contract.*

History: 1979 c. 361; 1981 c. 20, 21, 349; 1983 a. 27, 83, 192, 381; 1985 a. 29 ss. 169 to 204, 3202 (14); 1985 a. 120, 332, 334; 1987 a. 27, 109, 317, 318, 399, 403; 1989 a. 31, 185, 237, 317, 325, 335, 336, 342, 359; 1991 a. 39, 259, 261, 269, 315; 1993 a. 5, 16, 75, 110, 232, 437; 1995 a. 27 ss. 483, 505 to 517, 608a, 609g, 609j, 964, 965, 977, 987, 988, 990 to 993, 1080b, 1085b, 1086b, 9116 (5); 1995 a. 116, 119, 216, 227; 1997 a. 9, 27, 35, 215, 237, 252, 310; 1999 a. 9, 84, 106, 185, 186.

(END OF INSERT 3-12)

INSERT 4-5

10 SECTION 4. 560.183 (2) (b) of the statutes is amended to read:

11 560.183 (2) (b) A physician or dentist who is a participant in the national health
12 service corps scholarship program under 42 USC 254n, or a physician or dentist who
13 was a participant in that program and who failed to carry out his or her obligations
14 under that program, is not eligible for loan repayment under this section.

History: 1989 a. 317; 1989 a. 359 s. 380; 1991 a. 39; 1995 a. 27; 1997 a. 27, 237; 1999 a. 9.

(END OF INSERT 4-5)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0645/3
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DOA:.....Walker – Create a dentist loan assistance program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SOON
(2-6)
D-vote

do not
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1 AN ACT *do not get cut*; relating to: expanding the physician loan assistance program to
2 include dentists.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT
ECONOMIC DEVELOPMENT

Under current law, the department of commerce (department) administers the physician and health care provider loan assistance programs. Under the physician loan assistance program, the department may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a physician who specializes in family practice, general internal medicine, general pediatrics, obstetrics and gynecology, or psychiatry and who agrees to practice at least 32 hours per week for three years in a clinic in one or more eligible practice areas in this state. For purposes of the physician loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an area with a shortage of psychiatrists (a mental health shortage area), an American Indian reservation, or trust lands of an American Indian tribe. Under the health care provider loan assistance program, the department may repay, over a three-year period, up to \$25,000 in educational loans on behalf of a physician assistant, nurse-midwife, or nurse practitioner who agrees to practice at least 32 hours per week for three years in a clinic in one or more eligible practice areas in this

state. For purposes of the health care provider loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an American Indian reservation, or trust lands of an American Indian tribe.

The bill expands the physician loan assistance program to include dentists. Under the bill, the department may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a dentist who practices general or pediatric dentistry and who agrees to practice at least 32 hours per week for three years in a clinic in an area designated by the federal department of health and human services as having a shortage of dental professionals. A dentist participating in the program is subject to the same requirement as a physician to enter into a written agreement with the department, the same priority considerations as a physician if funding is not sufficient for all applicants, and the same penalty provisions as a physician for breaching the three-year practice agreement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.157 (8) (intro.) of the statutes is amended to read:

2 15.157 (8) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the
3 department of commerce a rural health development council consisting of ~~11~~ 12
4 members nominated by the governor, and with the advice and consent of the senate
5 appointed, for 5-year terms, and the secretaries of commerce and health and family
6 services, or their designees. The appointed members shall include all of the
7 following:

8 **SECTION 2.** 15.157 (8) (g) of the statutes is amended to read:

9 15.157 (8) (g) A physician licensed under ch. 448, a dentist licensed under ch.
10 447, and a nurse licensed under ch. 441, both all of whom practice in a rural area,
11 and a representative of public health services.

12 **SECTION 3.** 20.143 (1) (jc) (title) of the statutes is amended to read:

13 20.143 (1) (jc) (title) *Physician and dentist and health care provider loan*
14 *assistance programs ~~repayments~~; penalties.*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 4.** 20.143 (1) (jm) (title) of the statutes is amended to read:

2 20.143 (1) (jm) (title) *Physician and dentist loan assistance program; local*
3 *contributions.*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 5.** 20.143 (1) (kr) (title) of the statutes is amended to read:

5 20.143 (1) (kr) (title) *Physician and dentist and health care provider loan*
6 *assistance programs; repayments and contract.*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 6.** 560.183 (title) of the statutes is amended to read:

8 **560.183 (title) Physician and dentist loan assistance program.**

9 **SECTION 7.** 560.183 (1) (ad) of the statutes is created to read:

10 560.183 (1) (ad) "Dental health shortage area" means an area that is
11 designated by the federal department of health and human services under 42 CFR
12 part 5, appendix B, as having a shortage of dental professionals.

13 **SECTION 8.** 560.183 (1) (ae) of the statutes is created to read:

14 560.183 (1) (ae) "Dentist" means a dentist, as defined in s. 447.01 (7), who is
15 licensed under ch. 447 and who practices general or pediatric dentistry.

16 **SECTION 9.** 560.183 (2) (a) of the statutes is amended to read:

17 560.183 (2) (a) The department may repay, on behalf of a physician or dentist,
18 up to \$50,000 in educational loans obtained by the physician or dentist from a public
19 or private lending institution for education in an accredited school of medicine or
20 dentistry or for postgraduate medical or dental training.

21 **SECTION 10.** 560.183 (2) (b) of the statutes is amended to read:

SECTION 10

1 560.183 (2) (b) A physician or dentist who is a participant in the national health
2 service corps scholarship program under 42 USC 254n, or a physician or dentist who
3 was a participant in that program and who failed to carry out his or her obligations
4 under that program, is not eligible for loan repayment under this section.

5 **SECTION 11.** 560.183 (3) (a) of the statutes is amended to read:

6 560.183 (3) (a) The department shall enter into a written agreement with the
7 physician. ~~In the agreement, the physician shall agree, in which the physician~~
8 agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible
9 practice areas in this state, except that a physician specializing in psychiatry may
10 only agree to practice psychiatry in a mental health shortage area and a physician
11 in the expanded loan assistance program under sub. (9) may only agree to practice
12 at a public or private nonprofit entity in a health professional shortage area. The
13 physician shall also agree to care for patients who are insured or for whom health
14 benefits are payable under medicare, medical assistance, or any other governmental
15 program.

16 **SECTION 12.** 560.183 (3) (am) of the statutes is created to read:

17 560.183 (3) (am) The department shall enter into a written agreement with the
18 dentist, in which the dentist agrees to practice at least 32 clinic hours per week for
19 3 years in one or more dental health shortage areas in this state. The dentist shall
20 also agree to care for patients who are insured or for whom dental health benefits are
21 payable under medicare, medical assistance, or any other governmental program.

22 **SECTION 13.** 560.183 (5) (b) 1. of the statutes is amended to read:

23 560.183 (5) (b) 1. The degree to which there is an extremely high need for
24 medical care in the eligible practice area or health professional shortage area in
25 which ~~the a~~ physician desires to practice and the degree to which there is an

1 extremely high need for dental care in the dental health shortage area in which a
2 dentist desires to practice.

3 **SECTION 14.** 560.183 (5) (b) 2. of the statutes is amended to read:

4 560.183 (5) (b) 2. The likelihood that a physician will remain in the eligible
5 practice area or health professional shortage area, and that a dentist will remain in
6 the dental health shortage area, in which he or she desires to practice after the loan
7 repayment period.

8 **SECTION 15.** 560.183 (5) (b) 3. of the statutes is amended to read:

9 560.183 (5) (b) 3. The per capita income of the eligible practice area or health
10 professional shortage area in which a physician desires to practice and of the dental
11 health shortage area in which a dentist desires to practice.

12 **SECTION 16.** 560.183 (5) (b) 4. of the statutes is amended to read:

13 560.183 (5) (b) 4. The financial or other support for physician recruitment and
14 retention provided by individuals, organizations, or local governments in the eligible
15 practice area or health professional shortage area in which a physician desires to
16 practice and for dentist recruitment and retention provided by individuals,
17 organizations, or local governments in the dental health shortage area in which a
18 dentist desires to practice.

19 **SECTION 17.** 560.183 (5) (b) 5. of the statutes is amended to read:

20 560.183 (5) (b) 5. The geographic distribution of the physicians and dentists
21 who have entered into loan repayment agreements under this section and the
22 geographic distribution of the eligible practice areas ~~or~~, health professional shortage
23 areas, and dental health shortage areas in which the eligible applicants desire to
24 practice.

25 **SECTION 18.** 560.183 (5) (d) of the statutes is amended to read:

1 560.183 (5) (d) An agreement under sub. (3) does not create a right of action
2 against the state on the part of the physician, dentist, or the lending institution for
3 failure to make the payments specified in the agreement.

4 **SECTION 19.** 560.183 (6m) (a) (intro.) of the statutes is amended to read:

5 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to
6 be assessed by the department against physicians and dentists who breach ~~an~~
7 agreement agreements entered into under sub. (3) (a). The rules shall do all of the
8 following:

9 **SECTION 20.** 560.183 (8) (b) of the statutes is amended to read:

10 560.183 (8) (b) Advise the department and rural health development council
11 on the identification of eligible practice areas with an extremely high need for
12 medical care and dental health shortage areas with an extremely high need for
13 dental care.

14 **SECTION 21.** 560.183 (8) (d) of the statutes is amended to read:

15 560.183 (8) (d) Assist the department to publicize the program under this
16 section to physicians, dentists, and eligible communities.

17 **SECTION 22.** 560.183 (8) (e) of the statutes is amended to read:

18 560.183 (8) (e) Assist physicians and dentists who are interested in applying
19 for the program under this section.

20 **SECTION 23.** 560.183 (8) (f) of the statutes is amended to read:

21 560.183 (8) (f) Assist communities in obtaining physicians' and dentists'
22 services through the program under this section.

23 **SECTION 24.** 560.183 (9) (intro.) of the statutes is amended to read:

24 560.183 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The department may
25 agree to repay loans as provided under this section on behalf of a physician or dentist

1 under an expanded physician and dentist loan assistance program that is funded
2 through federal funds in addition to state matching funds. To be eligible for loan
3 repayment under the expanded physician and dentist loan assistance program, a
4 physician or dentist must fulfill all of the requirements for loan repayment under
5 this section, as well as all of the following:

6 **SECTION 25.** 560.183 (9) (a) of the statutes is amended to read:

7 560.183 (9) (a) The physician or dentist must be a U.S. citizen.

8 **SECTION 26.** 560.183 (9) (b) of the statutes is amended to read:

9 560.183 (9) (b) The physician or dentist may not have a judgment lien against
10 his or her property for a debt to the United States.

11 **SECTION 27.** 560.183 (9) (c) (intro.) of the statutes is amended to read:

12 560.183 (9) (c) (intro.) The physician or dentist must agree to do all of the
13 following:

14 **SECTION 28.** 560.183 (9) (c) 2. of the statutes is amended to read:

15 560.183 (9) (c) 2. Use a sliding fee scale or a comparable method of determining
16 payment arrangements for patients who are not eligible for medicare or medical
17 assistance and who are unable to pay the customary fee for the physician's or
18 dentist's services.

19 **SECTION 29.** 560.183 (9) (c) 3. of the statutes is amended to read:

20 560.183 (9) (c) 3. Practice at a public or private nonprofit entity in a health
21 professional shortage area, if a physician, or in a dental health shortage area, if a
22 dentist.

23 **SECTION 30.** 560.185 (1) of the statutes is amended to read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0645/3dn
PJK:fmh&jld:pg

*which is included
in LRB-0862/4,*



Bill:

This redraft removes the treatment of s. 20.143 (1) (kr) (title) and thereby reconciles LRB-0645/2 and LRB-0862/3. Both of these drafts should continue to appear in the compiled bill.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0645/3dn
PJK:hmh&jld:km

February 7, 2001

Bill:

This redraft removes the treatment of s. 20.143 (1) (kr) (title), which is included in LRB-0862/4, and thereby reconciles LRB-0645/2 and LRB-0862/3. Both of these drafts should continue to appear in the compiled bill.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0645/3
PJK:hmh&jld:km

DOA:.....Walker – Create a dentist loan assistance program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

- 1 AN ACT ...; relating to: expanding the physician loan assistance program to
2 include dentists.

Analysis by the Legislative Reference Bureau

COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Under current law, the department of commerce (department) administers the physician and health care provider loan assistance programs. Under the physician loan assistance program, the department may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a physician who specializes in family practice, general internal medicine, general pediatrics, obstetrics and gynecology, or psychiatry and who agrees to practice at least 32 hours per week for three years in a clinic in one or more eligible practice areas in this state. For purposes of the physician loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an area with a shortage of psychiatrists (a mental health shortage area), an American Indian reservation, or trust lands of an American Indian tribe. Under the health care provider loan assistance program, the department may repay, over a three-year period, up to \$25,000 in educational loans on behalf of a physician assistant, nurse-midwife, or nurse practitioner who agrees to practice at least 32 hours per week for three years in a clinic in one or more eligible practice areas in this

state. For purposes of the health care provider loan assistance program, an eligible practice area is an area with a shortage of primary care physicians that is in a primary care health professional shortage area as determined by the federal department of health and human services, an American Indian reservation, or trust lands of an American Indian tribe.

The bill expands the physician loan assistance program to include dentists. Under the bill, the department may repay, over a three-year period, up to \$50,000 in educational loans on behalf of a dentist who practices general or pediatric dentistry and who agrees to practice at least 32 hours per week for three years in a clinic in an area designated by the federal department of health and human services as having a shortage of dental professionals. A dentist participating in the program is subject to the same requirement as a physician to enter into a written agreement with the department, the same priority considerations as a physician if funding is not sufficient for all applicants, and the same penalty provisions as a physician for breaching the three-year practice agreement.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.157 (8) (intro.) of the statutes is amended to read:

2 15.157 (8) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the
3 department of commerce a rural health development council consisting of ~~11~~ 12
4 members nominated by the governor, and with the advice and consent of the senate
5 appointed, for 5-year terms, and the secretaries of commerce and health and family
6 services, or their designees. The appointed members shall include all of the
7 following:

8 **SECTION 2.** 15.157 (8) (g) of the statutes is amended to read:

9 15.157 (8) (g) A physician licensed under ch. 448, a dentist licensed under ch.
10 447, and a nurse licensed under ch. 441, ~~both~~ all of whom practice in a rural area,
11 and a representative of public health services.

12 **SECTION 3.** 20.143 (1) (jc) (title) of the statutes is amended to read:

13 20.143 (1) (jc) (title) *Physician and dentist and health care provider loan*
14 *assistance programs ~~repayments~~; penalties.*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 4.** 20.143 (1) (jm) (title) of the statutes is amended to read:

2 20.143 (1) (jm) (title) *Physician and dentist loan assistance program; local*
3 *contributions.*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 5.** 560.183 (title) of the statutes is amended to read:

5 **560.183 (title) Physician and dentist loan assistance program.**

6 **SECTION 6.** 560.183 (1) (ad) of the statutes is created to read:

7 560.183 (1) (ad) “Dental health shortage area” means an area that is
8 designated by the federal department of health and human services under 42 CFR
9 part 5, appendix B, as having a shortage of dental professionals.

10 **SECTION 7.** 560.183 (1) (ae) of the statutes is created to read:

11 560.183 (1) (ae) “Dentist” means a dentist, as defined in s. 447.01 (7), who is
12 licensed under ch. 447 and who practices general or pediatric dentistry.

13 **SECTION 8.** 560.183 (2) (a) of the statutes is amended to read:

14 560.183 (2) (a) The department may repay, on behalf of a physician or dentist,
15 up to \$50,000 in educational loans obtained by the physician or dentist from a public
16 or private lending institution for education in an accredited school of medicine or
17 dentistry or for postgraduate medical or dental training.

18 **SECTION 9.** 560.183 (2) (b) of the statutes is amended to read:

19 560.183 (2) (b) A physician or dentist who is a participant in the national health
20 service corps scholarship program under 42 USC 254n, or a physician or dentist who
21 was a participant in that program and who failed to carry out his or her obligations
22 under that program, is not eligible for loan repayment under this section.

1 **SECTION 10.** 560.183 (3) (a) of the statutes is amended to read:

2 560.183 (3) (a) The department shall enter into a written agreement with the
3 physician. ~~In the agreement, the physician shall agree, in which the physician~~
4 agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible
5 practice areas in this state, except that a physician specializing in psychiatry may
6 only agree to practice psychiatry in a mental health shortage area and a physician
7 in the expanded loan assistance program under sub. (9) may only agree to practice
8 at a public or private nonprofit entity in a health professional shortage area. The
9 physician shall also agree to care for patients who are insured or for whom health
10 benefits are payable under medicare, medical assistance, or any other governmental
11 program.

12 **SECTION 11.** 560.183 (3) (am) of the statutes is created to read:

13 560.183 (3) (am) The department shall enter into a written agreement with the
14 dentist, in which the dentist agrees to practice at least 32 clinic hours per week for
15 3 years in one or more dental health shortage areas in this state. The dentist shall
16 also agree to care for patients who are insured or for whom dental health benefits are
17 payable under medicare, medical assistance, or any other governmental program.

18 **SECTION 12.** 560.183 (5) (b) 1. of the statutes is amended to read:

19 560.183 (5) (b) 1. The degree to which there is an extremely high need for
20 medical care in the eligible practice area or health professional shortage area in
21 which ~~the~~ a physician desires to practice and the degree to which there is an
22 extremely high need for dental care in the dental health shortage area in which a
23 dentist desires to practice.

24 **SECTION 13.** 560.183 (5) (b) 2. of the statutes is amended to read:

1 560.183 (5) (b) 2. The likelihood that a physician will remain in the eligible
2 practice area or health professional shortage area, and that a dentist will remain in
3 the dental health shortage area, in which he or she desires to practice after the loan
4 repayment period.

5 **SECTION 14.** 560.183 (5) (b) 3. of the statutes is amended to read:

6 560.183 (5) (b) 3. The per capita income of the eligible practice area or health
7 professional shortage area in which a physician desires to practice and of the dental
8 health shortage area in which a dentist desires to practice.

9 **SECTION 15.** 560.183 (5) (b) 4. of the statutes is amended to read:

10 560.183 (5) (b) 4. The financial or other support for physician recruitment and
11 retention provided by individuals, organizations, or local governments in the eligible
12 practice area or health professional shortage area in which a physician desires to
13 practice and for dentist recruitment and retention provided by individuals,
14 organizations, or local governments in the dental health shortage area in which a
15 dentist desires to practice.

16 **SECTION 16.** 560.183 (5) (b) 5. of the statutes is amended to read:

17 560.183 (5) (b) 5. The geographic distribution of the physicians and dentists
18 who have entered into loan repayment agreements under this section and the
19 geographic distribution of the eligible practice areas or, health professional shortage
20 areas, and dental health shortage areas in which the eligible applicants desire to
21 practice.

22 **SECTION 17.** 560.183 (5) (d) of the statutes is amended to read:

23 560.183 (5) (d) An agreement under sub. (3) does not create a right of action
24 against the state on the part of the physician, dentist, or ~~the~~ lending institution for
25 failure to make the payments specified in the agreement.

1 **SECTION 18.** 560.183 (6m) (a) (intro.) of the statutes is amended to read:

2 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to
3 be assessed by the department against physicians and dentists who breach ~~an~~
4 ~~agreement~~ agreements entered into under sub. (3) (a). The rules shall do all of the
5 following:

6 **SECTION 19.** 560.183 (8) (b) of the statutes is amended to read:

7 560.183 (8) (b) Advise the department and rural health development council
8 on the identification of eligible practice areas with an extremely high need for
9 medical care and dental health shortage areas with an extremely high need for
10 dental care.

11 **SECTION 20.** 560.183 (8) (d) of the statutes is amended to read:

12 560.183 (8) (d) Assist the department to publicize the program under this
13 section to physicians, dentists, and eligible communities.

14 **SECTION 21.** 560.183 (8) (e) of the statutes is amended to read:

15 560.183 (8) (e) Assist physicians and dentists who are interested in applying
16 for the program under this section.

17 **SECTION 22.** 560.183 (8) (f) of the statutes is amended to read:

18 560.183 (8) (f) Assist communities in obtaining physicians' and dentists'
19 services through the program under this section.

20 **SECTION 23.** 560.183 (9) (intro.) of the statutes is amended to read:

21 560.183 (9) **EXPANDED LOAN ASSISTANCE PROGRAM.** (intro.) The department may
22 agree to repay loans as provided under this section on behalf of a physician or dentist
23 under an expanded physician and dentist loan assistance program that is funded
24 through federal funds in addition to state matching funds. To be eligible for loan
25 repayment under the expanded physician and dentist loan assistance program, a

1 physician or dentist must fulfill all of the requirements for loan repayment under
2 this section, as well as all of the following:

3 **SECTION 24.** 560.183 (9) (a) of the statutes is amended to read:

4 560.183 (9) (a) The physician or dentist must be a U.S. citizen.

5 **SECTION 25.** 560.183 (9) (b) of the statutes is amended to read:

6 560.183 (9) (b) The physician or dentist may not have a judgment lien against
7 his or her property for a debt to the United States.

8 **SECTION 26.** 560.183 (9) (c) (intro.) of the statutes is amended to read:

9 560.183 (9) (c) (intro.) The physician or dentist must agree to do all of the
10 following:

11 **SECTION 27.** 560.183 (9) (c) 2. of the statutes is amended to read:

12 560.183 (9) (c) 2. Use a sliding fee scale or a comparable method of determining
13 payment arrangements for patients who are not eligible for medicare or medical
14 assistance and who are unable to pay the customary fee for the physician's or
15 dentist's services.

16 **SECTION 28.** 560.183 (9) (c) 3. of the statutes is amended to read:

17 560.183 (9) (c) 3. Practice at a public or private nonprofit entity in a health
18 professional shortage area, if a physician, or in a dental health shortage area, if a
19 dentist.

20 **SECTION 29.** 560.185 (1) of the statutes is amended to read:

21 560.185 (1) Advise the department on matters related to the physician and
22 dentist loan assistance program under s. 560.183 and the health care provider loan
23 assistance program under s. 560.184.

24

(END)