

State of Wisconsin



2019 Senate Bill 166

Date of enactment: **November 25, 2019**

Date of publication*: **November 26, 2019**

2019 WISCONSIN ACT 58

AN ACT *to amend* 36.60 (1) (ag), 36.60 (3) (a), 36.60 (3) (am), 36.60 (5) (b) (intro.), 36.61 (1) (am) and 36.61 (5) (b) (intro.); and *to create* 36.60 (1) (ah), 36.60 (5) (bm) and 36.61 (5) (bm) of the statutes; **relating to:** eligibility for physician, dentist, and health care provider educational loan assistance programs.

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

SECTION 1. 36.60 (1) (ag) of the statutes is amended to read:

36.60 (1) (ag) “Eligible practice area” means a free or charitable clinic, a primary care shortage area, a mental health shortage area, an American Indian reservation or trust lands of an American Indian tribe.

SECTION 2. 36.60 (1) (ah) of the statutes is created to read:

36.60 (1) (ah) “Free or charitable clinic” means a safety-net health care organization that satisfies all of the following:

1. The organization uses volunteers and staff to provide a range of medical, dental, pharmacy, vision, or behavioral health services to economically disadvantaged individuals who are uninsured, underinsured, or have limited or no access to primary, specialty, or prescription health care.

2. The organization is exempt from taxation under section 501 (c) of the Internal Revenue Code or operates as a program component or affiliate of such an organization.

3. The organization provides services without regard to a patient’s ability to pay.

4. The organization charges patients no fee for services or charges a nominal or sliding fee.

5. The organization does not provide abortion services and is not an affiliate of an organization, other than a hospital, that provides abortion services.

SECTION 3. 36.60 (3) (a) of the statutes is amended to read:

36.60 (3) (a) The board shall enter into a written agreement with the physician, 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 or in a rural area, except that a physician specializing in psychiatry may only agree to practice psychiatry in a mental health shortage area or in a rural 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 Except for a physician who agrees to practice in a free or charitable clinic, 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 4. 36.60 (3) (am) of the statutes is amended to read:

36.60 (3) (am) The board shall enter into a written agreement with the dentist, in which the dentist agrees to

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

practice at least 32 clinic hours per week for 3 years in one or more dental health shortage areas in this state, in a free or charitable clinic, or in a rural area. The Except for a dentist who agrees to practice in a free or charitable clinic, 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 5. 36.60 (5) (b) (intro.) of the statutes is amended to read:

36.60 (5) (b) (intro.) 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 of funds transferred to the board under s. 20.505 (8) (hm) 6r., the contributions received and penalties assessed by the board, and the appropriation under s. 20.285 (1) (qj), then, subject to par. (bm), the board shall establish priorities among the eligible applicants based upon the following considerations:

SECTION 6. 36.60 (5) (bm) of the statutes is created to read:

36.60 (5) (bm) If the board determines that a consideration under par. (b) does not apply to eligible applicants who desire to practice in free or charitable clinics, the board shall develop a mechanism to fairly assess all applicants under the priorities established under par. (b).

SECTION 7. 36.61 (1) (am) of the statutes is amended to read:

36.61 (1) (am) “Eligible practice area” ~~means a primary care shortage area, an American Indian reservation, or trust lands of an American Indian tribe~~ has the meaning given in s. 36.60 (1) (ag), except that with respect to a dental hygienist “eligible practice area” means a dental health shortage area or a free or charitable clinic.

SECTION 8. 36.61 (5) (b) (intro.) of the statutes is amended to read:

36.61 (5) (b) (intro.) 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 of funds transferred to the board under s. 20.505 (8) (hm) 6r., the contributions received and penalties assessed by the board, and the appropriation under s. 20.285 (1) (qj), then, subject to par. (bm), the board shall establish priorities among the eligible applicants based upon the following considerations:

SECTION 9. 36.61 (5) (bm) of the statutes is created to read:

36.61 (5) (bm) If the board determines that a consideration under par. (b) does not apply to eligible applicants who desire to practice in free or charitable clinics, the board shall develop a mechanism to fairly assess all applicants under the priorities established under par. (b).
