

House Bill 427 (AS PASSED HOUSE AND SENATE)

By: Representatives Newton of the 123rd, Cooper of the 43rd, Hatchett of the 150th, and Spencer of the 180th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34 of Title 31 of the Official Code of Georgia Annotated, relating to
2 physicians for rural areas assistance, so as to expand the service cancelable loan program for
3 physicians in underserved areas to dentists, physician assistants, and advanced practice
4 registered nurses; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 34 of Title 31 of the Official Code of Georgia Annotated, relating to physicians for
9 rural areas assistance, is amended by revising Code Section 31-34-1, relating to the short
10 title, as follows:

11 "31-34-1.

12 This chapter shall be known and may be cited as the 'Physicians, Dentists, Physician
13 Assistants, and Advanced Practice Registered Nurses for Rural Areas Assistance Act.'"

14 **SECTION 2.**

15 Said chapter is further amended by revising Code Section 31-34-2, relating to the purpose
16 and intent of the chapter, as follows:

17 "31-34-2.

18 It is the purpose of this chapter to increase the number of physicians, dentists, physician
19 assistants, and advanced practice registered nurses in ~~physician~~ underserved rural areas of
20 Georgia by making loans to physicians, dentists, physician assistants, and advanced
21 practice registered nurses who have completed their medical or health care education and
22 allowing such loans to be repaid by such physicians, dentists, physician assistants, and
23 advanced practice registered nurses agreeing to practice medicine or provide health care
24 services in such rural areas and by making grants to hospitals and, as determined by the
25 Georgia Board for Physician Workforce, other health care entities, local governments, and

26 civic organizations in ~~physician~~ underserved rural areas of Georgia that agree to provide
 27 matching funds to the grant, with the intent to enhance recruitment efforts in bringing
 28 physicians, dentists, physician assistants, and advanced practice registered nurses to such
 29 areas. It is the intent of the General Assembly that if funds are available to the Georgia
 30 Board for Physician Workforce to make loans, grants, or scholarships under this chapter
 31 or under other applicable state law, the Georgia Board for Physician Workforce shall give
 32 priority to loans and scholarships under Part 6 of Article 7 of Chapter 3 of Title 20 and to
 33 loans under Code Section 31-34-4."

34 **SECTION 3.**

35 Said chapter is further amended by revising Code Section 31-34-4, relating to loan applicant
 36 qualifications and rules and regulations, as follows:

37 "31-34-4.

38 (a) A physician, dentist, physician assistant, or advanced practice registered nurse who
 39 receives a loan under the program provided for in this chapter shall be a citizen or national
 40 of the United States licensed to practice ~~medicine~~ his or her health care profession within
 41 the State of Georgia at the time the loan is made, and shall be a graduate of an accredited
 42 graduate medical education program or other applicable accredited health care education
 43 program located in the United States which has received accreditation or provisional
 44 accreditation by the Accreditation Council for Graduate Medical Education or the
 45 American Osteopathic Association or such other applicable accreditation for other health
 46 care education programs, as determined by the board.

47 (b) The board shall make a full investigation of the qualifications of an applicant for a loan
 48 under the provisions of this chapter to determine the applicant's fitness for participation in
 49 such loan program, and for such purposes, the board may propound such examinations to
 50 applicants as the board deems proper. The board's investigation shall include a
 51 determination of the outstanding medical or health care education loans incurred by the
 52 applicant while completing his or her medical or health care education and training.

53 (c) The board is authorized to consider among other criteria for granting loans under the
 54 provisions of this chapter the state residency status and home area of the applying
 55 physician, dentist, physician assistant, or advanced practice registered nurse and to give
 56 priority to those applicants who are physicians, dentists, physician assistants, and advanced
 57 practice registered nurses actively practicing or beginning active practice in specialties
 58 experiencing shortages or distribution problems in rural areas of this state as determined
 59 by the board pursuant to rules and regulations adopted by it in accordance with this chapter.

60 (d) The board may adopt and prescribe such rules and regulations as it deems necessary
 61 or appropriate to administer and carry out the loan program provided for in this chapter.

62 Such rules and regulations shall provide for fixing the rate of regular interest to accrue on
 63 loans granted under the provisions of this chapter. Such regular rate of interest shall not
 64 exceed by more than 2 percent the prime rate published from time to time by the Board of
 65 Governors of the Federal Reserve System. Within such limitation, the regular rate of
 66 interest may be increased for new recipients of loans under this chapter."

67 **SECTION 4.**

68 Said chapter is further amended by revising Code Section 31-34-4.1, relating to grants to
 69 hospitals and other entities, use of funds, and rules and regulations authorized, as follows:

70 "31-34-4.1.

71 (a) After providing priority consideration to granting loans pursuant to Code Section
 72 31-34-4, the board is authorized to make grants to hospitals and, as determined by the
 73 board, other health care entities, local governments, and civic organizations in ~~physician~~
 74 underserved rural areas of Georgia, provided that any such hospital, health care entity, local
 75 government, or civic organization matches such grant in an amount not less than such
 76 grant. Such grants shall be for the purpose of enhancing recruitment efforts in bringing
 77 physicians, dentists, physician assistants, and advanced practice registered nurses to such
 78 areas.

79 (b) Acceptable expenditures of grant funds by a hospital or other health care entity, local
 80 government, or civic organization include, but are not limited to, medical or health care
 81 education loan repayment, salary supplements for physicians, dentists, physician assistants,
 82 and advanced practice registered nurses, and additional support staff for a physician's,
 83 dentist's, physician assistant's, or advanced practice registered nurse's office. Grant funds
 84 shall not be used for hiring or paying a recruiting firm or individual recruiter.

85 (c) The board is authorized to give priority over other grant applicants to applicant
 86 hospitals and other health care entities, local governments, and civic organizations in rural
 87 areas of this state experiencing shortages or distribution problems of certain specialties as
 88 determined by the board pursuant to rules and regulations adopted by the board in
 89 accordance with this chapter.

90 (d) The board may adopt and prescribe such rules and regulations as it deems necessary
 91 or appropriate to administer and carry out the grant program provided for in this chapter.
 92 Such rules and regulations shall provide for the criteria that must be met by an applicant
 93 and the penalties that shall be incurred for failure to comply with the grant requirements."

SECTION 5.

94

95 Said chapter is further amended by revising Code Section 31-34-5, relating to service
96 cancelable loans, amounts, repayments, and determination of physician underserved rural
97 areas, as follows:

98 "31-34-5.

99 (a)(1) The board shall have the authority to grant to each applicant approved by the board
100 on a one-year renewable basis a service cancelable loan for a period not exceeding four
101 years. The amount of the loan shall be determined by the board, but such amount shall
102 be related to the applicant's outstanding obligations incurred as a direct result of
103 completing medical or health care education and training.

104 (2) A loan or loans to each approved applicant shall be granted on the condition that the
105 full amount of the loan or loans shall be repaid to the State of Georgia in services to be
106 rendered by the applicant's practicing his or her profession in a board approved physician,
107 dentist, physician assistant, or advanced practice registered nurse underserved rural area
108 of Georgia. For each full year of practicing his or her profession in such a ~~physician~~
109 underserved rural area, the physician, dentist, physician assistant, or advanced practice
110 registered nurse who obtained the loan shall receive credit for the full amount of one
111 year's loan plus regular interest which accrued on such amount.

112 (b)(1) The board shall have the authority to make grants to each applicant hospital or
113 other health care entity, local government, or civic organization approved by the board
114 on a yearly basis, renewable each year at the discretion of the board. The amount of the
115 grant shall be determined by the board, but such amount shall be related to and shall not
116 exceed the applicant's proposed expenditures to enhance recruitment efforts in bringing
117 one or more physicians, dentists, physician assistants, or advanced practice registered
118 nurses to the ~~physician~~ underserved rural area.

119 (2) A grant to an approved applicant shall be made on any condition or conditions
120 determined by the board, which may include, but not be limited to, that one or more
121 physicians, dentists, physician assistants, or advanced practice registered nurses are
122 employed and retained in the ~~physician~~ underserved rural area for a prescribed minimum
123 length of time.

124 (c) In making a determination of physician, dentist, physician assistant, or advanced
125 practice registered nurse underserved rural areas of Georgia, the board shall seek the advice
126 and assistance of the Department of Public Health, the University of Georgia Cooperative
127 Extension Service, the Department of Community Affairs, and such other public or private
128 associations or organizations as the board determines to be of assistance in making such
129 determinations. Criteria to determine physician, dentist, physician assistant, or advanced

130 practice registered nurse underserved rural areas shall include, but shall not be limited to,
131 relevant statistical data related to the following:

132 (1) The ratio of physicians, dentists, physician assistants, or advanced practice registered
133 nurses to population in the area;

134 (2) Indications of the health status of the population in the area;

135 (3) The poverty level and dependent age groups of the population in the area;

136 (4) Indications of community support for more physicians, dentists, physician assistants,
137 or advanced practice registered nurses in the area; and

138 (5) Indications that access to the physician's, dentist's, physician assistant's, or advanced
139 practice registered nurse's services is available to every person in the underserved area
140 regardless of ability to pay."

141 **SECTION 6.**

142 All laws and parts of laws in conflict with this Act are repealed.