

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1076

S. P. 318

In Senate, March 23, 1977

Referred to Committee on Education. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Speers of Kennebec.

Cosponsor: Senator Danton of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Concerning Postgraduate Training in the Field of Osteopathic
Medicine.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 32 MRSA c. 36, sub-c. IV-A is enacted to read:

SUBCHAPTER IV-A

POSTGRADUATE TRAINING IN OSTEOPATHIC MEDICINE

§ 2582. Intent

It is the intent of the Legislature to acquire, to the greatest extent possible, the admission of qualified Maine residents to the regional college of osteopathic medicine providing programs of instruction in the New England area leading to the D. O. degree.

It is further the intent of the Legislature to provide an inducement to Maine residents, who have been afforded an opportunity to be educated in the aforementioned regional college, to remain in Maine to practice their osteopathic medical profession at the conclusion of their formal education.

§ 2583. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. State capitation payment. "State capitation payment" means the difference between the tuition rate established by the State for the acquisition of the student position and the amount the State actually pays to the regional osteopathic medical college to secure that position.

2. State contract osteopathic student. "State contract osteopathic student" means any Maine resident who is enrolled in the regional osteopathic medical education program for which the State has entered into a contractual arrangement with the New England College of Osteopathic Medicine, and, pursuant to such arrangement, the State expends funds in return for a guarantee on the part of the college that student positions will be made available to Maine residents.

§ 2584. Residency

Final determination of residency, for purposes of this subchapter, shall be made under rules promulgated by the Commissioner of Educational and Cultural Services, hereinafter in this subchapter called the commissioner. The criteria for such rules shall include, but not be limited to, length of residence, secondary school attended, legal residence of parent, voting registration and locality where taxes are paid.

§ 2585. Tuition grant

Any Maine state contract osteopathic student, attending the New England College of Osteopathic Medicine, who demonstrates financial need, under rules promulgated by the commissioner, shall be eligible for a tuition grant from funds made available through the Osteopathic Student Loan Fund for that purpose; the amount of such grant to be based on the financial need of the student, but in no case to exceed the amount of the state tuition charge to that student.

§ 2586. Agreement of state contract osteopathic student with the commissioner

Any state contract osteopathic student who commences his professional education on or after the 1976-1977 academic year shall, as a condition precedent to the common element of such education, enter into an agreement with the State pursuant to which the student shall agree to pay tuition to the State and shall agree that upon the conclusion of his osteopathic medical education, including internship, residency, and obligated military service, he shall practice his profession in Maine upon being duly licensed as an osteopathic physician by the State.

This student shall further agree, that in the event he fails to practice osteopathic medicine within the State for a period of 4 years, he shall become obligated to pay to the State an amount of money equal to the capitation payments expended by the State in acquiring the student position in the regional college of osteopathic medicine, which he occupied as a Maine state contract osteopathic student. This amount shall be payable in not more than 20 annual equal installments at 6% simple interest, and such payments shall commence after the start of an out-of-state practice by the state contract osteopathic student at a time determined under rules to be promulgated by the commissioner; provided that an amount equal to $\frac{1}{4}$ of the total indebtedness shall be forgiven for each year in which the state contract osteopathic student has practiced his profession in the State.

§ 2587. Securing state contract osteopathic student positions

The commissioner shall directly negotiate with the New England College of Osteopathic Medicine to secure positions for Maine state contract osteopathic students in osteopathic medical training to the extent funds are appropriated and authorized.

1. **Number of state contract positions.** The commissioner is authorized to expend such amounts of money as are necessary to purchase up to 10 positions, up to a total of 40, at the New England College of Osteopathic Medicine.

2. **Contractual agreements.** The commissioner shall prepare contractual agreements between the State and each state contract osteopathic student, which agreement shall set forth the terms and conditions set forth in section 2586 and each state contract osteopathic student who is within the purview of section 2586 shall be required to execute such an agreement prior to commencing his osteopathic medical education. This agreement shall be in a form approved by the Attorney General.

3. **Execution of agreements.** The commissioner is authorized to execute such agreements on behalf of the State.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Educational and Cultural Services in the next biennium, the sum of \$100,000, for postgraduate training in the field of osteopathic medicine. The breakdown shall be as follows:

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

1977-78

Post-Graduate Training in Osteopathic Medicine	\$100,000
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It is the intent of the Legislature that any moneys unexpended from this sum shall not lapse but shall be carried forward to fiscal year 1979-80 to be expended in that fiscal year by the Department of Educational and Cultural Services solely for the same purpose.

STATEMENT OF FACT

The development of a regional college of osteopathic medicine on the campus of Saint Francis College in southern Maine will provide for the New England states an important resource in medical manpower.

Increasing numbers of Maine students, impelled to seek training in the field of osteopathic medicine, which presently provides about $\frac{1}{3}$ of the primary care physicians in practice in Maine, are seeking admission to osteopathic colleges. The new regional college plans to assign positions for students from the states in which its clinical training and preceptorship programs will be located. There are 3 osteopathic hospitals and 5 osteopathic medical clinics in Maine at present.

To encourage Maine residents to be trained as physicians and to remain in the State will require not only contract student positions in the New England College of Osteopathic Medicine, but also a postgraduate student assistance program similar to the capitation grants system being utilized in out-of-state institutions for the training of doctors of medicine and veterinary medicine.

The application of such state funds in the field of osteopathic medicine will strengthen the endeavor to increase the number of physicians in the primary health care roles of general practitioners in New England, (in 1973 there were 600 D.O.'s with an average age of 60.2 years), and afford added inducement for our own resident students to participate in a regional medical education enterprise located in this State and for them to subsequently locate their professional practice here.