

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1722, L.D. 2408, Bill, "An Act to Implement the Recommendations of the Advisory Committee on Medical Education"

Amend the bill in section 10 in that part designated "~~§12101.~~" by striking out all of subsection 6 (page 5, lines 25 to 39 in L.D.) and inserting in its place the following:

'6. Maine resident. "Maine resident" means a person who has been a resident of the State for a minimum of one year as determined by rule of the authority who shall consider:

A. Length of residence in Maine for other than tuition purposes;

B. Secondary school attended;

C. Legal residence of parents;

D. Place of voting registration, if registered to vote;

E. Place where taxes are paid; and

F. Other indicators established by the authority.'

Further amend the bill in section 10 in that part designated "~~§12101.~~" by inserting after subsection 9 the following:

'10. Underserved specialty. "Underserved specialty" means a medical specialty in which there are insufficient practitioners either throughout the State or within a designated geographic area of the State, as determined by rule of the Commissioner of Human Services.'

2 Further amend the bill in section 10 in that part designated
4 "§12104." in subsection 1 in the last paragraph in the last line
(page 7, line 25 in L.D.) by striking out the following:
6 "commencing professional education"

8 Further amend the bill in section 10 in that part designated
10 "§12104." in subsection 5 in paragraph A in subparagraph (2) in
the 3rd line (page 8, line 20 in L.D.) by inserting after the
following: "area" the following: ', any physician practicing in
an underserved specialty or any physician'

12 Further amend the bill in section 10 in that part designated
14 "§12104." in subsection 5 in paragraph A in subparagraph (4) in
the 5th and 6th lines (page 8, lines 35 and 36 in L.D.) by
16 striking out the following: "for each year in which the
physician primarily provides medical" and inserting in its place
18 the following: 'as a physician practicing in an underserved
specialty or as a physician providing'

20 Further amend the bill in section 10 in that part designated
22 "§12104." in subsection 5 by striking out all of paragraph C
(page 8, lines 46 to 49 and page 9, lines 1 and 2 in L.D.) and
24 inserting in its place the following:

26 'C. Any loan recipient requesting forgiveness or an
28 interest rate reduction under this section, excluding
veterinarians, shall report annually to the Department of
Human Services, Office of Rural Health the following:

30
32 (1) The number of Medicaid patients served by the loan
recipient and the percentage of the loan recipient's
overall service provided to Medicaid patients;

34
36 (2) The number of instances in which a loan recipient
accepted a Medicare assignment and the number of and
38 basis for any rejections during the period of the
report; and

40
42 (3) The amount of time devoted by the loan recipient
to practice in a public health clinic during the period
of the report.

44 The Department of Human Services, Office of Rural Health and
the Finance Authority of Maine shall determine whether the
46 level of service provided by the loan recipient to Medicaid
and Medicare patients and in public health clinics was
48 reasonable. If the Office of Rural Health and the Finance
Authority of Maine determine that the level of service

provided was not reasonable or if the loan recipient fails to provide the report by the date required, the loan recipient is not entitled to any loan forgiveness or interest rate reduction under this section for the year of the report.'

Further amend the bill in section 10 in that part designated "~~§12106.~~" in subsection 2 in the first paragraph in the last line (page 10, line 9 in L.D.) by striking out the following: "~~20~~" and inserting in its place the following: '~~21~~'

Further amend the bill in section 10 in that part designated "~~§12106.~~" in subsection 2 in paragraph A by striking out all of subparagraph (6) (page 10, lines 31 to 33 in L.D.) and inserting in its place the following:

'(6) One must be a representative of a nonprofit hospital medical services organization;'

Further amend the bill in section 10 in that part designated "~~§12106.~~" in subsection 2 in paragraph E in the first line (page 11, line 9 in L.D.) by striking out the following: "~~Five~~" and inserting in its place the following: '~~Six~~'

Further amend the bill in section 10 in that part designated "~~§12106.~~" in subsection 2 in paragraph E in subparagraph (4) in the last line (page 11, line 27 in L.D.) by striking out the following: "~~and~~"

Further amend the bill in section 10 in that part designated "~~§12106.~~" in subsection 2 in paragraph E in subparagraph (5) in the last line (page 11, line 31 in L.D.) by striking out the following: "~~education.~~" and inserting in its place the following: '~~education; and~~'

Further amend the bill in section 10 in that part designated "~~§12106.~~" in subsection 2 in paragraph E by inserting after subparagraph (5) the following:

'(6) A representative of a major teaching hospital in the State.'

Further amend the bill in section 10 in that part designated "~~§12107.~~" by striking out all of the first paragraph (page 11, lines 42 to 50 in L.D.) and inserting in its place the following:

'The authority shall establish rules necessary to implement this chapter. The Commissioner of Human Services shall develop rules for determining health professional shortage areas for the practice of primary health care medicine and dentistry, for

determining the reasonableness of the service provided by loan recipients to Medicaid and Medicare patients and participation by loan recipients in public health clinics, for determining underserved groups and for determining underserved specialties. The Commissioner of Agriculture, Food and Rural Resources shall develop rules for the determination of insufficient veterinary services. The rules authorized by this section must be adopted in accordance with Title 5, chapter 375, subchapter II.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The changes proposed in the medical education programs administered by the Finance Authority of Maine will allow greater flexibility to the authority to operate these programs within existing resources. The authority can absorb any additional program administration costs and the costs associated with new loan forgiveness and interest rate reduction provisions, as well as the costs of the request for proposals process and rulemaking within existing resources.

The Department of Agriculture, Food and Rural Resources will incur some minor additional administrative costs to develop rules for the determination of inadequate veterinary services. These costs can be absorbed within the department's existing budgeted resources.

The Department of Human Services will incur some minor additional administrative costs to develop rules to determine health professional shortage areas and to make determinations, with the Finance Authority of Maine, on new loan forgiveness and interest rate reduction provisions. These costs can be absorbed within the department's existing budgeted resources.'

STATEMENT OF FACT

This amendment replaces the definition of "Maine resident," adds a definition of "underserved specialty" and makes several modifications to the loan agreement provisions of the Health Professions Loan Program established in the bill and includes a requirement that loan recipients establish proof of reasonable service to Medicaid patients, Medicare patients and public health clinics as a condition of loan forgiveness or interest rate reduction. The amendment adds a representative of a major teaching hospital in the State to the Advisory Committee on Medical Education. The amendment also adds a fiscal note to the bill.