

MINUTES OF THE COMMITTEE ON HIGHER EDUCATION.

The meeting was called to order by Chairperson Tom Sloan at 3:30 p.m. on February 17, 2003 in Room 231-N of the Capitol.

All members were present except: Representative Winn, Excused

Committee staff present: Mary Galligan, Legislative Research
Paul West, Legislative Research
Jim Wilson, Revisor's Office
Mona Gambone, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Chairman Sloan called the meeting to order at 3:30 p.m..

Chairman Sloan called the members' attention to the minutes of the February 12 meeting which were before them and asked them to call the Committee Secretary with any changes before 5:00 p.m. the next day or they would be considered approved as printed.

Chairman Sloan then opened discussion on **HB 2173**.

Chairman Sloan recognized Representative Reitz, who explained the intent of a proposed substitute bill Representative Reitz made the motion to amend the bill by substituting a new bill (Attachment 1). Representative Huntington seconded the motion. The motion passed. Representative Reitz then responded to questions from the Committee on **Sub. HB 2173**. Jim Wilson clarified some questions about language in the bill. Representative Reitz moved the adoption of the bill (with the language changes suggested by the Revisor). Representative Horst seconded the motion. The motion passed.

Representative Reardon made the motion to strike the language "underserved areas". Representative Storm seconded the motion. The motion passed.

Representative Carlin made the motion to add language for communities to sponsor dental students who would then be required to return to that community to practice. Representative Horst seconded the motion. The motion passed.

Representative Horst made the motion that the bill as amended be passed out favorable for passage. Representative Storm seconded the motion. The motion passed.

Chairman Sloan then opened discussion on **HB 2145**.

Committee members discussed the bill. Jim Wilson explained a proposed amendment to the bill concerning the GED language (Attachment 2). After discussion on the language concerning residency requirements, Chairman Sloan suggested that the Committee defer action on **HB 2145** until the February 19 meeting so that staff can collect and provide additional information to the Committee.

There being no other business, the meeting was adjourned at 4:45 p.m..

The next meeting is scheduled for February 19, 2003 at 3:30 p.m. in Room 231-N.

For Consideration by Committee on Higher Education

1 AN ACT concerning the state board of regents; related to Kansas
2 residents designated for admission to certain accredited
3 schools of dentistry; requiring agreements for service
4 commitments and repayment of certain amounts.

5 Be it enacted by the Legislature of the State of Kansas:

6 Section 1. For the purposes of designating persons for
7 guaranteed admission to and continued enrollment at accredited
8 schools or colleges of dentistry in a course of instruction
9 leading to a doctor of dental surgery degree in accordance with a
10 contract under K.S.A. 76-721a and amendments thereto, the state
11 board of regents shall designate persons who are Kansas residents
12 and who enter into a written agreement with the state board of
13 regents in accordance with section 2, and amendments thereto.

14 Sec. 2. (a) An agreement entered into by the state board of
15 regents and a Kansas resident who is an undergraduate student
16 enrolled in or admitted to an accredited school or college of
17 dentistry pursuant to a contract which provides for guaranteed
18 admission and continued enrollment of such person therein and
19 which was entered into for such purpose under K.S.A. 76-721a, and
20 amendments thereto, shall require that the person:

21 (1) Complete the required course of instruction in dentistry
22 and receive the degree therefor;

23 (2) apply for and obtain a license to practice dentistry in
24 Kansas;

25 (3) engage in the full-time practice of dentistry for a
26 period of 12 months in Kansas in an underserved area for each
27 year in which such person is so enrolled pursuant to a contract
28 under K.S.A. 76-721a, and amendments thereto;

29 (4) commence such full-time practice of dentistry within
30 nine months after licensure and continue such full-time practice
31 in Kansas in an underserved area for a consecutive period of
32 months equal to the total number of months required under the
33 agreement;

34 (5) maintain records and make reports to the state board of
35 regents to document the satisfaction of the obligation under such

1 agreement to engage in the full-time practice of dentistry in
2 Kansas in an underserved area and to continue such full-time
3 practice for a consecutive period of months equal to the total
4 number of months required under the agreement; and

5 (6) upon failure to satisfy an agreement to engage in the
6 full-time practice of dentistry in Kansas in an underserved area
7 for the required period of time under such agreement, repay
8 amounts to the state board of regents as provided in section 3,
9 and amendments thereto.

10 (b) As used in this section, "underserved area" means a
11 practice location in Kansas that is designated by the secretary
12 of health and environment to be underserved by persons licensed
13 to practice dentistry in Kansas at the time a person obligated to
14 commence the full-time practice of dentistry under an agreement
15 entered into pursuant to this section commences such practice of
16 dentistry.

17 Sec. 3. (a) Except as otherwise provided in section 4, and
18 amendments thereto, and subsection (e), upon the failure of any
19 person to satisfy the obligation to engage in the full-time
20 practice of dentistry within the state of Kansas for the required
21 period of time under an agreement entered into pursuant to
22 section 2, and amendments thereto, such person shall repay to the
23 state board of regents an amount equal to the total of (1) the
24 difference between the cost of tuition and fees at the accredited
25 school of dentistry attended by such person and the average cost
26 of tuition and fees for in-state tuition at a state board of
27 regents institution as fixed by the state board of regents for
28 guaranteed admission and continued enrollment of such person in
29 an accredited school or college of dentistry pursuant to a
30 contract entered into therefor under K.S.A. 76-721a, and
31 amendments thereto, plus (2) annual interest at a rate of 15%
32 from the date such money was paid pursuant to such contract.

33 (b) Each person required to repay any amount under this
34 section shall repay an amount totaling the entire amount to be
35 repaid under such agreement for which such obligation is not

1 satisfied, including all interest at the rate prescribed. Except
2 as otherwise provided in this section, such repayment shall be in
3 installment payments and each such installment shall be not less
4 than the amount equal to 1/5 of the total amount which would be
5 required to be paid if repaid in five equal annual installments.

6 (c) All installment payments under this section shall
7 commence six months after the date of the action or circumstance
8 that causes the failure of the person to satisfy the obligations
9 of such agreement, as determined by the state board of regents
10 based upon the circumstances of each individual case. If an
11 installment payment becomes 91 days overdue, the entire amount
12 outstanding shall become immediately due and payable, including
13 all interest at the rate prescribed.

14 (d) The total repayment obligation imposed under the
15 agreement entered into under section 2, and amendments thereto,
16 may be satisfied at any time prior to graduation from the
17 accredited school or college of dentistry by making a single
18 lump-sum payment equal to the total of (1) the entire amount to
19 be repaid under such agreement upon failure to satisfy the
20 obligation under such agreement to practice in Kansas, plus (2)
21 all interest thereon at the rate prescribed to the date of
22 payment.

23 (e) If a person fails to satisfy an obligation to engage in
24 the full-time practice of dentistry in Kansas for the required
25 period of time under an agreement entered into pursuant to
26 section 2, and amendments thereto, because such person is engaged
27 in the practice of dentistry in a state other than Kansas, and if
28 such person is subject to or currently making repayments under
29 this section and if such person subsequently commences the
30 practice of dentistry in this state which complies with the
31 agreements entered into under such statute, the balance of the
32 repayment amount, including interest thereon, from the time of
33 such commencement of practice until the obligation of such person
34 is satisfied, or until the time such person again becomes subject
35 to repayments, shall be waived. All repayment amounts due prior

1 to such commencement of practice in this state, including
2 interest thereon, shall continue to be payable as provided in
3 this section. If subsequent to such commencement of practice,
4 the person fails to satisfy such obligation, the person again
5 shall be subject to repayments, including interest thereon, as
6 otherwise provided in this section.

7 Sec. 4. (a) An obligation to engage in the practice of
8 dentistry in accordance with an agreement under section 2, and
9 amendments thereto, shall be postponed: (1) During any required
10 period of active military service; (2) during any period of
11 service as a part of volunteers in service to America (VISTA);
12 (3) during any period of service in the peace corps; (4) during
13 any period of service commitment to the United States public
14 health service; (5) during any period of religious missionary
15 work conducted by an organization exempt from tax under
16 subsection (c) of section 501 of the federal internal revenue
17 code of 1954, as amended; (6) during the period of time the
18 person obligated is engaged solely in the teaching of dentistry;
19 (7) during the period of time the person obligated is engaged
20 solely in dental research; (8) during any period of temporary
21 medical disability during which the person obligated is unable
22 because of such medical disability to practice dentistry; or (9)
23 during the period of time the person obligated is enrolled in an
24 accredited school of dentistry receiving instruction in a
25 recognized dental specialty or postgraduate dental program.
26 Except for clause (8) of this subsection (a), an obligation to
27 engage in the practice of dentistry in accordance with an
28 agreement under section 2, and amendments thereto, shall not be
29 postponed more than five years from the time the practice of
30 dentistry was to have been commenced under any such agreement.
31 An obligation to engage in the practice of dentistry in
32 accordance with an agreement under section 2, and amendments
33 thereto, shall be postponed under clause (8) of this subsection
34 (a) during the period of time the medical disability exists.

35 (b) An obligation to engage in the practice of dentistry in

1 accordance with an agreement under section 1, and amendments
2 thereto, shall be satisfied: (1) If the obligation to engage in
3 the practice of dentistry in accordance with an agreement under
4 section 2, and amendments thereto, has been completed; (2) if the
5 person obligated dies; (3) if, because of permanent physical
6 disability, the person obligated is unable to practice dentistry;
7 or (4) if the person obligated fails to satisfy the requirements
8 for a degree from an accredited school or college of dentistry
9 after such person has made their best efforts to obtain such
10 degree.

11 Sec. 5. The provisions of this act shall apply to students
12 entering their first year of an accredited school of dentistry
13 commencing with the 2004-05 school year.

14 Sec. 6. This act shall take effect and be in force from and
15 after its publication in the statute book.

HOUSE BILL No. 2145

By Committee on Higher Education

1-31

Proposed Amendment
For Consideration by Higher Education Committee
February 12, 2003

House Higher Edu
2/17/03
Attch # 2

9 AN ACT concerning public postsecondary education; certain persons
10 deemed to be residents for purposes of tuition and other fees at pos-
11 tsecondary educational institutions.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) Notwithstanding any other provision of law, any indi-
15 vidual who is enrolled or has been accepted for admission at a postse-
16 condary educational institution as a postsecondary student shall be
17 deemed to be a resident of Kansas for the purpose of tuition and fees for
18 attendance at such postsecondary educational institution. The provisions
19 of this section shall not apply to any individual who has a valid student
20 visa.

21 (b) As used in this section,

22 (1) "postsecondary educational institution" has the meaning ascribed
23 thereto in K.S.A. 74-3201b and amendments thereto; and

24 (2) "individual" means a person (A) who has attended an accredited
25 Kansas high school and who has either graduated from an accredited
26 Kansas high school or who has earned a general educational development
27 (GED) certificate issued within Kansas, (B) who has been a domiciliary
28 resident of Kansas for a period of three years or longer immediately pre-
29 ceding the date the person enrolls at the postsecondary educational in-
30 stitution as a postsecondary student, regardless of whether the person is
1 or is not a citizen of the United States of America.

for three or more years

2 Sec. 2. This act shall take effect and be in force from and after its
3 publication in the statute book.

Meeting Date: 2/17/03
House Higher Education C
Attachment # 2