

HOUSE BILL No. 2124

By Committee on Health and Human Services

1-23

1 AN ACT concerning medical student and resident loan assistance; relating
2 to medical student loan agreements; practice commitment agreements;
3 providing for agreements for the practice of psychiatry; amending
4 K.S.A. 76-387 and K.S.A. 2016 Supp. 76-381, 76-383 and 76-384 and
5 repealing the existing sections.
6

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

8 Section 1. K.S.A. 2016 Supp. 76-381 is hereby amended to read as
9 follows: 76-381. As used in K.S.A. 76-380 through 76-386, and
10 amendments thereto:

11 (a) "Act" means the medical student loan act;

12 (b) "approved postgraduate residency training program" means a
13 residency training program in general pediatrics, general internal
14 medicine, family medicine, family practice, emergency medicine, *general*
15 *psychiatry*, *child psychiatry* or fellowship training in geriatric medicine;

16 (c) "service commitment area" means: (1) Any community within any
17 county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or
18 Wyandotte county; (2) any state medical care facility or institution; (3) any
19 medical center operated by the veterans administration of the United
20 States; (4) the full-time faculty of the university of Kansas school of
21 medicine in family medicine ~~or~~, family practice, *general psychiatry or*
22 *child psychiatry*; or (5) any community within Wyandotte county for
23 purposes of any practice obligation under an agreement entered into by a
24 person who is enrolled for the first time after July 1, 2004, in a course of
25 study leading to the medical degree; and

26 (d) "state medical care facility or institution" includes, but is not
27 limited to, the Kansas state school for the visually handicapped, the
28 Kansas state school for the deaf, any institution under the secretary for
29 aging and disability services, as defined by ~~subsection (b) of~~ K.S.A. 76-
30 12a01, and amendments thereto, any institution under the commissioner of
31 juvenile justice as defined by K.S.A. 2016 Supp. 38-2302, and
32 amendments thereto, the Kansas soldiers' home, the Kansas veterans' home
33 and any correctional institution under the secretary of corrections, as
34 defined by ~~subsection (d) of~~ K.S.A. 75-5202, and amendments thereto, but
35 shall not include any state educational institution under the state board of
36 regents, as defined by ~~subsection (a) of~~ K.S.A. 76-711, and amendments

1 thereto, except as specifically provided by statute.

2 Sec. 2. K.S.A. 2016 Supp. 76-383 is hereby amended to read as
3 follows: 76-383. A medical student loan agreement entered into by the
4 university of Kansas school of medicine and an undergraduate student
5 enrolled in or admitted to the university of Kansas school of medicine in a
6 course of instruction leading to the degree of doctor of medicine for the
7 purpose of receiving a medical student loan under this act shall require that
8 the person receiving the loan:

9 (a) Complete the required course of instruction and receive the degree
10 of doctor of medicine and apply for, enter and complete an approved
11 postgraduate residency training program;

12 (b) apply for and obtain a license to practice medicine and surgery in
13 Kansas;

14 (c) engage in the full-time practice of medicine and surgery for a
15 period of 12 months within a service commitment area, except as
16 otherwise provided in ~~subsection (e) of K.S.A. 76-384(c)~~, and amendments
17 thereto, for service as a full-time faculty member of the university of
18 Kansas school of medicine in family medicine ~~or~~, family practice, *general*
19 *psychiatry or child psychiatry*;

20 (d) commence such full-time practice of medicine and surgery within
21 nine months after completion of an approved postgraduate residency
22 training program and licensure in a service commitment area and continue
23 such full-time practice in such service commitment area for a consecutive
24 period of months equal to the total number of months required under the
25 agreement;

26 (e) agree that the service commitment for each agreement entered into
27 under this act is in addition to the service commitment contained in any
28 other agreement which has been or may be entered into under this act for
29 the purpose of obtaining a medical student loan or under other agreements
30 for the purpose of obtaining scholarship aid;

31 (f) maintain records and make reports to the university of Kansas
32 school of medicine to document the satisfaction of the obligation under
33 such agreement to engage in the full-time practice of medicine and surgery
34 within a service commitment area and to continue such full-time practice
35 in such service commitment area for a consecutive period of months equal
36 to the total number of months required under the agreement; and

37 (g) upon failure to satisfy an agreement to engage in the full-time
38 practice of medicine and surgery within a service commitment area for the
39 required period of time under any such agreement, the person receiving a
40 medical student loan under this act shall repay amounts to the university of
41 Kansas school of medicine as provided in K.S.A. 76-385, and amendments
42 thereto.

43 Sec. 3. K.S.A. 2016 Supp. 76-384 is hereby amended to read as

1 follows: 76-384. (a) Upon the selection of a service commitment area for
2 the purposes of satisfying a service obligation under a medical student loan
3 agreement entered into under this act, the person so selecting shall inform
4 the university of Kansas school of medicine of the service commitment
5 area selected.

6 (b) A person serving in a service commitment area pursuant to any
7 agreement under this act may serve all or part of any commitment in the
8 service commitment area initially selected by such person. If such person
9 moves from one service commitment area to another service commitment
10 area, such person shall notify the university of Kansas school of medicine
11 of such person's change of service commitment area. Service in any such
12 service commitment area shall be deemed to be continuous for the purpose
13 of satisfying any agreement entered into under this act.

14 (c) A person receiving a medical student loan under this act, may
15 satisfy the obligation to engage in the full-time practice of medicine and
16 surgery in a service commitment area if the person serves as a full-time
17 faculty member of the university of Kansas school of medicine in general
18 internal medicine, general pediatrics, family medicine~~or~~, family practice,
19 *general psychiatry or child psychiatry* and serves two years for each one
20 year of such obligation, or the equivalent thereof on a two-for-one basis,
21 except that, at the time any person commences satisfying such service
22 obligation as a full-time faculty member pursuant to this subsection, the
23 number of persons satisfying service commitments or service obligations,
24 pursuant to agreements under the medical student loan act, as full-time
25 faculty members pursuant to this subsection shall not exceed the number
26 equal to 25% of the total number of full-time faculty members of the
27 university of Kansas school of medicine in general internal medicine,
28 general pediatrics, family medicine~~or~~, family practice, *general psychiatry*
29 *or child psychiatry*.

30 (d) A person may satisfy the obligation to engage in the full-time
31 practice of medicine and surgery in a service commitment area by
32 performing at least 100 hours per month of on-site primary care *or mental*
33 *health care* at a medical facility *or community mental health center*
34 operated by a local health department *or mental health department* or
35 nonprofit organization in this state serving medically indigent persons. As
36 used in this subsection, "medically indigent" means a person: (1) Who is
37 unable to secure health care because of inability to pay for all or a part of
38 the costs thereof due to inadequate personal resources, being uninsured,
39 being underinsured, being ineligible for governmental health benefits; or
40 (2) who is eligible for governmental benefits but is unable to obtain
41 medical services; and "primary care" means general pediatrics, general
42 internal medicine, family medicine and family practice.

43 Sec. 4. K.S.A. 76-387 is hereby amended to read as follows: 76-387.

1 (a) There is hereby established the Kansas medical residency bridging
2 program at the university of Kansas school of medicine which shall be
3 developed and implemented in order to provide encouragement,
4 opportunities and incentives for persons in primary care *or mental health*
5 *care* residency training programs in general pediatrics, general internal
6 medicine, family medicine ~~or, family practice,~~ ~~which~~ *general psychiatry*
7 *or child psychiatry* that are operated by or affiliated with the university of
8 Kansas school of medicine or other such primary care *or mental health*
9 *care* residency training program ~~which~~ *that* is operated in Kansas and
10 approved by the state board of healing arts and a person under subsection
11 (i) to locate their medical practice in rural Kansas communities upon
12 completion of such residency training. The Kansas medical residency
13 bridging program shall be administered by the institute for rural health
14 care of the university of Kansas school of medicine.

15 (b) Subject to the provisions of appropriation acts, the university of
16 Kansas school of medicine may enter into residency bridging loan
17 agreements, in accordance with the provisions of this section: (A) With
18 any person who has completed the first year of a primary care *or mental*
19 *health care* residency training program in general pediatrics, general
20 internal medicine, family medicine ~~or, family practice,~~ ~~which~~ *general*
21 *psychiatry or child psychiatry* that is operated by or affiliated with the
22 university of Kansas school of medicine or other such primary care *or*
23 *mental health care* residency training program ~~which~~ *that* is operated in
24 Kansas and approved by the state board of healing arts; and (B) with a
25 person under subsection (i).

26 (c) Subject to the provisions of appropriation acts, each person
27 entering into a residency bridging loan agreement under this section shall
28 receive a payment of \$5,000 each year of primary care *or mental health*
29 *care* residency training, or any part of a year of such training, after the date
30 that the residency bridging loan agreement is entered into by the resident
31 and the university of Kansas school of medicine and, upon completion of
32 the primary care *or mental health care* residency training program, a
33 payment of \$6,000.

34 (d) Each residency bridging loan agreement shall require that the
35 person receiving the loan:

36 (1) Complete the primary care *or mental health care* residency
37 training program;

38 (2) engage in the full-time practice of medicine and surgery in any
39 county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or
40 Wyandotte for three years under a practice commitment agreement;

41 (3) commence such full-time practice of medicine and surgery within
42 90 days after completing the primary care *or mental health care* residency
43 training program; and

1 (4) upon failure to satisfy the obligation to engage in the full-time
2 practice of medicine and surgery in accordance with the provisions of the
3 residency bridging loan agreement and this section, the person receiving
4 the loan under this section shall repay to the university of Kansas school of
5 medicine, within 90 days of such failure, the amount equal to the amount
6 of money received by such person from the university of Kansas school of
7 medicine, less credits earned, under such agreement plus interest at the
8 annual rate of 15% from the date such money was received.

9 (e) An obligation to engage in the practice of medicine and surgery in
10 accordance with the provisions of a residency bridging loan agreement and
11 this section shall be postponed during: (1) Any period of temporary
12 medical disability during which the person obligated is unable to practice
13 medicine and surgery because of such medical disability;; or (2) any other
14 period of postponement agreed to or determined in accordance with
15 criteria agreed to in the practice commitment agreement.

16 (f) An obligation to engage in the practice of medicine and surgery in
17 accordance with the provisions of a residency bridging loan agreement and
18 this section shall be satisfied: (1) If the obligation to engage in the practice
19 of medicine and surgery in accordance with such agreement has been
20 completed;; (2) if the person obligated dies;; or (3) if, because of
21 permanent physical disability, the person obligated is unable to practice
22 medicine and surgery.

23 (g) The university of Kansas school of medicine may adopt additional
24 provisions, requirements or conditions for participation in the Kansas
25 medical residency bridging program as are practicable and appropriate to
26 accomplish the purposes of the program or as may be required for the
27 implementation or administration of the program and, in any case, as are
28 not inconsistent with the provisions of this section or the provisions of
29 appropriation acts.

30 (h) As used in this section, "practice commitment agreement" means
31 an agreement to commence the full-time practice of medicine and surgery
32 in a city located in any county in Kansas other than Douglas, Johnson,
33 Sedgwick, Shawnee or Wyandotte county, ~~which that~~:

34 (1) Was entered into: (A) By a person in a primary care *or mental*
35 *health care* residency training program in general pediatrics, general
36 internal medicine, family medicine ~~or~~, family practice, *general psychiatry*
37 *or child psychiatry*, that is operated by or affiliated with the university of
38 Kansas school of medicine or other such primary care *or mental health*
39 *care* residency training program ~~which that~~ is operated in Kansas and
40 approved by the state board of healing arts;; or (B) by a person under
41 subsection (i) with the city where such practice is to commence or another
42 contracting entity other than the university of Kansas school of medicine
43 that is representative of the interests of such city;; and

1 (2) provides benefits to such person that have an aggregate monetary
2 value equal to or greater than the aggregate amount of payments to such
3 person from the university of Kansas school of medicine under a residency
4 bridging loan agreement under this section.

5 (i) A person who graduated from the university of Kansas school of
6 medicine prior to July 1, 1992, who has completed the first year of a
7 primary care residency training program in family practice which is
8 operated outside the state of Kansas and who has entered into a practice
9 commitment agreement with the north central Kansas health care
10 foundation is eligible to enter into a residency bridging loan agreement
11 under this section.

12 Sec. 5. K.S.A. 76-387 and K.S.A. 2016 Supp. 76-381, 76-383 and 76-
13 384 are hereby repealed.

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