

SENATE AMENDMENTS TO SENATE BILL 325

By COMMITTEE ON HEALTH CARE AND HUMAN SERVICES

April 24

1 In line 2 of the printed bill, after “medicine;” delete the rest of the line and line 3 and insert
2 “creating new provisions; amending ORS 315.613 and 315.616 and section 25, chapter 913, Oregon
3 Laws 2009; and prescribing an effective date.”.

4 After line 12, insert:

5 **“SECTION 2.** ORS 315.613 is amended to read:

6 “315.613. (1) A resident or nonresident individual certified as eligible under ORS 442.563, li-
7 censed under ORS chapter 677, who is engaged in the practice of medicine, and who [*has a rural*
8 *practice that amounts to 60 percent of the individual’s practice,*] **is engaged for at least 20 hours**
9 **per week, averaged over the month, during the tax year in a rural practice,** shall be allowed
10 an annual credit against taxes otherwise due under this chapter in the sum of \$5,000 during the time
11 in which the individual retains such practice and membership if the individual is actively practicing
12 in and is a member of the medical staff of one of the following hospitals:

13 “(a) A type A hospital designated as such by the Office of Rural Health;

14 “(b) A type B hospital designated as such by the Office of Rural Health if the hospital is:

15 “(A) Not within the boundaries of a metropolitan statistical area;

16 “(B) Located 30 or more highway miles from the closest hospital within the major population
17 center in a metropolitan statistical area; or

18 “(C) Located in a county with a population of less than 75,000;

19 “(c) A type C rural hospital, if the Office of Rural Health makes the findings required by ORS
20 315.619; or

21 “(d) A rural critical access hospital.

22 **“(2) In order to claim the credit allowed under this section, the individual must:**

23 **“(a) Report adjusted gross income not greater than \$250,000 in the case of a taxpayer**
24 **filing an individual return or filing as head of household, or \$500,000, in the case of joint re-**
25 **turn filers or a surviving spouse; and**

26 **“(b) Remain willing during the tax year to serve patients with Medicare coverage and**
27 **patients receiving medical assistance in at least the same proportion to the individual’s total**
28 **number of patients as the Medicare and medical assistance populations represent of the total**
29 **number of persons determined by the Office of Rural Health to be in need of care in the**
30 **county served by the practice, not to exceed 20 percent Medicare patients or 15 percent**
31 **medical assistance patients.**

32 “[2] (3) A nonresident **individual** shall be allowed the credit under this section in the propor-
33 tion provided in ORS 316.117. If a change in the status of a taxpayer from resident to nonresident
34 or from nonresident to resident occurs, the credit allowed by this section shall be determined in a
35 manner consistent with ORS 316.117.

1 “[(3)] (4) For purposes of this section, an ‘individual’s practice’ shall be determined on the basis
2 of actual time spent in practice each week in hours or days, whichever is considered by the Office
3 of Rural Health to be more appropriate. In the case of a shareholder of a corporation or a member
4 of a partnership, only the time of the individual shareholder or partner shall be considered and the
5 full amount of the credit shall be allowed to each shareholder or partner who qualifies in an indi-
6 vidual capacity.

7 “[4] (5) As used in this section:

8 “(a) ‘Type A hospital,’ ‘type B hospital’ and ‘type C hospital’ have the meaning for those terms
9 provided in ORS 442.470.

10 “(b) ‘Rural critical access hospital’ means a facility that meets the criteria set forth in 42 U.S.C.
11 1395i-4 (c)(2)(B) and that has been designated a critical access hospital by the Office of Rural Health
12 and the Oregon Health Authority.

13 “**SECTION 3.** ORS 315.616 is amended to read:

14 “315.616. A resident or nonresident individual who is certified as eligible under ORS 442.561,
15 442.562, 442.563 or 442.564, and is licensed as a physician or podiatric physician and surgeon under
16 ORS chapter 677, licensed as a physician assistant under ORS chapter 677, licensed as a nurse
17 practitioner under ORS chapter 678, licensed as a certified registered nurse anesthetist under ORS
18 chapter 678, licensed as a dentist under ORS chapter 679 or licensed as an optometrist under ORS
19 683.010 to 683.340 is entitled to the tax credit described in ORS 315.613 even if not a member of the
20 hospital medical staff if the Office of Rural Health certifies that the individual:

21 “[1] *Has a rural practice that amounts to 60 percent of the individual’s practice; and]*

22 “**(1) Is engaged for at least 20 hours per week, averaged over the month, during the tax**
23 **year in a rural practice; and**

24 “(2)(a) If a physician or a physician assistant, can cause a patient to be admitted to the hospital;

25 “(b) If a certified registered nurse anesthetist, is employed by or has a contractual relationship
26 with one of the hospitals described in ORS 315.613 (1); or

27 “(c) If an optometrist, has consulting privileges with a hospital listed in ORS 315.613 (1). This
28 paragraph does not apply to an optometrist who qualifies as a ‘frontier rural practitioner,’ as defined
29 by the Office of Rural Health.

30 “**SECTION 4. The amendments to ORS 315.613 and 315.616 by sections 2 and 3 of this 2013**
31 **Act apply to tax years beginning on or after January 1, 2014.**

32 “**SECTION 5. This 2013 Act takes effect on the 91st day after the date on which the 2013**
33 **regular session of the Seventy-seventh Legislative Assembly adjourns sine die.”.**