

SENATE AMENDMENTS TO SENATE BILL 440

By COMMITTEE ON HEALTH CARE AND HUMAN SERVICES

February 13

1 In line 2 of the printed bill, after the first semicolon insert “creating new provisions; amending
2 ORS 442.563, 442.568, 442.570 and 677.141; repealing ORS 442.550, 442.555 and 442.560;”.

3 Delete lines 4 through 9 and insert:

4 **“SECTION 1. (1) There is created in the Oregon Health Authority the primary care pro-
5 vider loan repayment program for the purpose of assisting primary care providers who have
6 committed to serving medical assistance recipients in rural or medically underserved areas
7 of the state.**

8 **“(2) The authority shall prescribe by rule:**

9 **“(a) Participant eligibility criteria, including the types of primary care providers who may
10 participate in the program;**

11 **“(b) The terms and conditions of participation in the program, including the duration of
12 the term for which a participant makes a commitment under subsection (1) of this section;**

13 **“(c) The types of loans for which payments may be provided;**

14 **“(d) The priority for distribution of funds available under section 2 of this 2013 Act if the
15 funds are insufficient to provide assistance to all of the applicants who are eligible to par-
16 ticipate in the program; and**

17 **“(e) The financial penalties imposed on a participant who fails to complete the term of
18 the commitment.**

19 **“(3) The authority may enter into contracts with one or more public or private entities
20 to administer the program or parts of the program.**

21 **“SECTION 2. (1) There is established the Primary Care Provider Loan Repayment Fund
22 in the State Treasury, separate and distinct from the General Fund. Interest earned by the
23 Primary Care Provider Loan Repayment Fund is credited to the fund. The Primary Care
24 Provider Loan Repayment Fund consists of moneys appropriated from the General Fund,
25 federal moneys received for the purpose of operating the primary care provider loan repay-
26 ment program and financial penalties recovered by the Oregon Health Authority from pri-
27 mary care providers who fail to meet their service obligations. Moneys in the Primary Care
28 Provider Loan Repayment Fund are continuously appropriated to the authority to be used
29 to implement and operate the primary care provider loan repayment program.**

30 **“(2) The authority may accept gifts, grants, bequests, endowments and donations from
31 public or private sources for deposit into the Primary Care Provider Loan Repayment Fund.**

32 **“SECTION 3. There is appropriated to the Oregon Health Authority, for the biennium
33 beginning July 1, 2013, out of the General Fund, the amount of \$4 million to be deposited in
34 the Primary Care Provider Loan Repayment Fund established under section 2 of this 2013
35 Act.**

1 “**SECTION 4. ORS 442.550, 442.555 and 442.560 are repealed on January 2, 2014.**

2 “**SECTION 5.** ORS 442.563 is amended to read:

3 “442.563. (1) [*Subject to ORS 442.560,*] The Office of Rural Health shall establish criteria for
4 certifying individuals eligible for the tax credit authorized by ORS 315.613, 315.616 or 315.619. Upon
5 application therefor, the office shall certify individuals eligible for the tax credit authorized by ORS
6 315.613.

7 “(2) The classification of rural hospitals for purposes of determining eligibility under this section
8 shall be the classification of the hospital in effect on January 1, 1991.

9 “**SECTION 6.** ORS 442.568 is amended to read:

10 “442.568. (1) The Oregon Health and Science University shall develop and implement a program
11 to focus recruitment efforts on students who reside in or who are interested in practicing in rural
12 areas.

13 “(2) The university shall reserve a number of admissions to each class at the medical school for
14 qualified students who agree to participate in the [*Primary Care Services Program*] **primary care**
15 **provider loan repayment program created in section 1 of this 2013 Act.** The number of admis-
16 sions under this section is not required to exceed 15 percent of each class, but that figure is a goal
17 consistent with the long term intention of the Legislative Assembly to encourage the availability
18 of medical services in rural areas.

19 “(3) In the event that the university is unable to recruit the number of qualified students re-
20 quired under subsection (2) of this section, after having made a reasonable effort to do so, the uni-
21 versity is authorized to fill the remaining positions with other eligible candidates.

22 “**SECTION 7.** ORS 442.570 is amended to read:

23 “442.570. (1) There is established in the State Treasury a fund, separate and distinct from the
24 General Fund, to be known as the Primary Care Services Fund. Moneys in the Primary Care Ser-
25 vices Fund are continuously appropriated to the Oregon Department of Administrative Services for
26 allocation to the Office of Rural Health for investments as provided by ORS 293.701 to 293.820, for
27 expenses and payments by the office in carrying out the purposes of ORS 315.613, 315.616, 315.619,
28 353.450, 442.470, 442.503 and 442.550 to 442.570. Interest earned by the fund shall be credited to the
29 fund.

30 “(2) The office shall seek matching funds from the federal government and from communities
31 that benefit from placement of participants under ORS 442.550 to 442.570. The office shall establish
32 a program to enroll interested communities in this program and deposit moneys from the matching
33 funds [*and from the Primary Care Services Program*] in the Primary Care Services Fund. In addition,
34 the office shall explore other funding sources including federal grant programs.

35 “**SECTION 8.** ORS 677.141 is amended to read:

36 “677.141. (1) A physician issued a license under ORS 677.139 is subject to all the provisions of
37 this chapter and to all the rules of the Oregon Medical Board. A physician issued a license under
38 ORS 677.139 has the same duties and responsibilities and is subject to the same penalties and
39 sanctions as any other physician licensed under this chapter.

40 “(2) A physician issued a license under ORS 677.139 may not:

41 “(a) Act as a dispensing physician as defined in ORS 677.010;

42 “(b) Administer controlled substances for the treatment of intractable pain to a person located
43 within this state;

44 “(c) Employ a physician assistant as defined in ORS 677.495 to treat a person located within this
45 state;

1 “(d) Claim the tax deduction provided by ORS 316.076;

2 “(e) Participate in the [*Primary Care Services Program under ORS 442.550 to 442.570*] **primary**
3 **care provider loan repayment program created in section 1 of this 2013 Act**; or

4 “(f) Assert a lien for services under ORS 87.555.

5 “(3) A physician licensed under ORS 677.139 shall comply with all patient confidentiality re-
6 quirements of this state, except as those requirements are expressly prohibited by the law of any
7 other state of the United States where a person’s medical records are maintained.”.

8 In line 10, delete “3” and insert “9”.

9
