

**PROPOSED AMENDMENTS TO
SENATE BILL 440**

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

4 Delete lines 4 through 9 and insert:

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

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

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

13 **“(b) The terms and conditions of participation in the program, in-
14 cluding the duration of the term for which a participant makes a
15 commitment under subsection (1) of this section;**

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

17 **“(d) The priority for distribution of funds available under section 2
18 of this 2013 Act if the funds are insufficient to provide assistance to
19 all of the applicants who are eligible to participate in the program; and**

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

22 **“(3) The authority may enter into contracts with one or more public**

1 or private entities to administer the program or parts of the program.

2 **“SECTION 2. (1) There is established the Primary Care Provider**
3 **Loan Repayment Fund in the State Treasury, separate and distinct**
4 **from the General Fund. Interest earned by the Primary Care Provider**
5 **Loan Repayment Fund is credited to the fund. The Primary Care Pro-**
6 **vider Loan Repayment Fund consists of moneys appropriated from the**
7 **General Fund, federal moneys received for the purpose of operating**
8 **the primary care provider loan repayment program and financial pen-**
9 **alties recovered by the Oregon Health Authority from primary care**
10 **providers who fail to meet their service obligations. Moneys in the**
11 **Primary Care Provider Loan Repayment Fund are continuously ap-**
12 **propriated to the authority to be used to implement and operate the**
13 **primary care provider loan repayment program.**

14 **“(2) The authority may accept gifts, grants, bequests, endowments**
15 **and donations from public or private sources for deposit into the Pri-**
16 **mary Care Provider Loan Repayment Fund.**

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

21 **“SECTION 4. ORS 442.550, 442.555 and 442.560 are repealed on Janu-**
22 **ary 2, 2014.**

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

24 **“442.563. (1) [*Subject to ORS 442.560,*] The Office of Rural Health shall**
25 **establish criteria for certifying individuals eligible for the tax credit au-**
26 **thorized by ORS 315.613, 315.616 or 315.619. Upon application therefor, the**
27 **office shall certify individuals eligible for the tax credit authorized by ORS**
28 **315.613.**

29 **“(2) The classification of rural hospitals for purposes of determining el-**
30 **igibility under this section shall be the classification of the hospital in effect**

1 on January 1, 1991.

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

3 “442.568. (1) The Oregon Health and Science University shall develop and
4 implement a program to focus recruitment efforts on students who reside in
5 or who are interested in practicing in rural areas.

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

13 “(3) In the event that the university is unable to recruit the number of
14 qualified students required under subsection (2) of this section, after having
15 made a reasonable effort to do so, the university is authorized to fill the
16 remaining positions with other eligible candidates.

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

18 “442.570. (1) There is established in the State Treasury a fund, separate
19 and distinct from the General Fund, to be known as the Primary Care Ser-
20 vices Fund. Moneys in the Primary Care Services Fund are continuously
21 appropriated to the Oregon Department of Administrative Services for allo-
22 cation to the Office of Rural Health for investments as provided by ORS
23 293.701 to 293.820, for expenses and payments by the office in carrying out
24 the purposes of ORS 315.613, 315.616, 315.619, 353.450, 442.470, 442.503 and
25 442.550 to 442.570. Interest earned by the fund shall be credited to the fund.

26 “(2) The office shall seek matching funds from the federal government and
27 from communities that benefit from placement of participants under ORS
28 442.550 to 442.570. The office shall establish a program to enroll interested
29 communities in this program and deposit moneys from the matching funds
30 [*and from the Primary Care Services Program*] in the Primary Care Services

1 Fund. In addition, the office shall explore other funding sources including
2 federal grant programs.

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

4 “677.141. (1) A physician issued a license under ORS 677.139 is subject to
5 all the provisions of this chapter and to all the rules of the Oregon Medical
6 Board. A physician issued a license under ORS 677.139 has the same duties
7 and responsibilities and is subject to the same penalties and sanctions as any
8 other physician licensed under this chapter.

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

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

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

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

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

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

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

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

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

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