

Senate Bill 640

Sponsored by Senator HANSELL (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Indian Health Scholarship Program to provide free tuition and fees for qualifying Indian health profession students in exchange for student commitment to work at tribal service site after graduation.

Appropriates moneys for 2021-2023 biennium to Oregon Health and Science University for purpose of administering Indian Health Scholarship Program.

Declares emergency, effective July 1, 2021.

A BILL FOR AN ACT

1
2 Relating to tribal health; creating new provisions; amending ORS 676.454 and 676.467; and declaring
3 an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

SECTION 1. (1) As used in this section:

5
6 (a) **“Health care practitioner” means a:**

7 (A) **Physician licensed under ORS chapter 677;**

8 (B) **Dentist licensed under ORS chapter 679;**

9 (C) **Nurse practitioner licensed under ORS 678.375 to 678.390;**

10 (D) **Physician assistant licensed under ORS 677.505 to 677.525; or**

11 (E) **Certified registered nurse anesthetist licensed under ORS chapter 678.**

12 (b) **“Institution of higher education” has the meaning given that term in ORS 348.582.**

13 (c) **“Prospective health care practitioner” means a person who has been accepted into,**
14 **but has not yet started, a qualifying health profession degree program.**

15 (d) **“Qualifying health profession degree program” means a degree program at a private**
16 **or public institution of higher education in this state that meets the educational require-**
17 **ments for licensure as a physician, dentist, nurse practitioner, physician assistant or certi-**
18 **fied nurse anesthetist.**

19 (e) **“Recipient” means a person who has been selected by the Oregon Health and Science**
20 **University to receive an Indian Health Scholarship under subsection (5) of this section.**

21 (f) **“Service agreement” means the agreement executed by a prospective health care**
22 **practitioner under subsection (3) of this section.**

23 (g) **“Tribal service site” means a health care facility that is located:**

24 (A) **On a federally recognized Oregon Indian reservation; or**

25 (B) **In Oregon and serves a patient population that is at least 50 percent members of a**
26 **federally recognized Indian tribe.**

27 (2) **There is created the Indian Health Scholarship Program, to be administered by the**
28 **Oregon Health and Science University pursuant to rules adopted by the university. The uni-**
29 **versity shall determine who shall receive scholarships under subsection (5) of this section.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(3) A prospective health care practitioner who wishes to participate in the program shall**
 2 **submit an application to the university in accordance with rules adopted by the university.**
 3 **To be eligible to receive an Indian Health Scholarship, a prospective health care practitioner**
 4 **must:**

5 **(a) Be a member of a federally recognized Indian tribe; and**

6 **(b) Execute a service agreement stating that:**

7 **(A) Immediately upon the recipient's completion of the health profession degree, resi-**
 8 **dency or training, as established for each degree by the university by rule, the recipient will**
 9 **practice as a health care practitioner at a tribal service site for at least the number of years**
 10 **that the recipient was enrolled in the qualifying health profession degree program for which**
 11 **the recipient received a scholarship; and**

12 **(B) While practicing as a health care practitioner at a tribal service site, the recipient**
 13 **must meet other requirements established by the university by rule.**

14 **(4) The university may select recipients from among the prospective health care practi-**
 15 **tioners who submit applications as provided in subsection (3) of this section. The university**
 16 **shall give preference, in the following order of priority, to a prospective health care practi-**
 17 **tioner who is:**

18 **(a) A member of a federally recognized Oregon Indian tribe; or**

19 **(b) A resident of this state.**

20 **(5) The university shall provide a scholarship covering the entire cost of tuition and fees**
 21 **for a recipient's education in a qualifying health profession degree program.**

22 **(6)(a) A recipient who fails to complete the health profession degree for which the**
 23 **scholarship was awarded shall repay the amount received to the university.**

24 **(b) A recipient who fails to complete the terms of the service agreement shall repay the**
 25 **amount received to the university. The total amount to be paid under this paragraph shall**
 26 **be reduced on a pro rata basis for every full month that the recipient complied with the**
 27 **service agreement.**

28 **(c) Upon the death of a recipient, any obligation of the recipient under this subsection**
 29 **to repay the university shall be canceled.**

30 **(d) Notwithstanding any other provision of law, in any case of extreme hardship or for**
 31 **other good cause shown, the university may waive, in whole or in part, the right of the**
 32 **university to recover moneys made available under this section.**

33 **(7) In the event that a recipient is required to repay the university under subsection (6)**
 34 **of this section, the university may:**

35 **(a) Collect any amounts due;**

36 **(b) Have any amounts due be collected by the Collections Unit in the Department of Re-**
 37 **venue under ORS 293.250; or**

38 **(c) Contract with a collections agency to collect any amounts due.**

39 **(8) Any moneys received or collected by the university under subsections (6) and (7) of**
 40 **this section shall be deposited into a separate fund held by the university for the purpose of**
 41 **carrying out the provisions of this section. The university may not use the moneys in that**
 42 **fund for any other purpose.**

43 **SECTION 2.** ORS 676.454 is amended to read:

44 676.454. (1) There is created in the Oregon Health Authority a health care provider incentive
 45 program for the purpose of assisting qualified health care providers who commit to serving medical

1 assistance and Medicare enrollees in rural or medically underserved areas of this state. The au-
2 thority shall prescribe by rule:

3 (a) Participant eligibility criteria, including the types of qualified health care providers who may
4 participate in the program;

5 (b) The terms and conditions of participation in the program, including the duration of the term
6 of any service agreement, which must be at least 12 months;

7 (c) The types of incentives that may be provided, including but not limited to:

8 (A) Loan repayment subsidies;

9 (B) Stipends;

10 (C) Medical malpractice insurance premium subsidies;

11 (D) Scholarships for students in health professional training programs at the Oregon Health and
12 Science University;

13 (E) Scholarships for students at institutions of higher education based in this state who are en-
14 rolled in health professional training programs leading to a doctor of osteopathic medicine or doctor
15 of dentistry or a license as a nurse practitioner, physician assistant or certified registered nurse
16 anesthetist, if:

17 (i) The scholarship funds are distributed equitably among schools offering the training programs,
18 based on the percentage of Oregon students attending those schools; and

19 (ii) The maximum scholarship for each student does not exceed the highest resident tuition rate
20 at the publicly funded health professional training programs in this state; *[and]*

21 (F) Paying the moving expenses of providers not located in rural or medically underserved areas
22 who commit to relocate to such areas; **and**

23 **(G) Scholarships for students who are members of a federally recognized Indian tribe and**
24 **who are enrolled in health professional training programs at private or public institutions**
25 **of higher education, as defined in ORS 348.582, in this state;**

26 (d) If the funds allocated to the program from the Health Care Provider Incentive Fund estab-
27 lished under ORS 676.450 are insufficient to provide assistance to all of the applicants who are eli-
28 gible to participate in the program, the priority for the distribution of funds; and

29 (e) The financial penalties imposed on an individual who fails to comply with terms and condi-
30 tions of participation.

31 (2) Eligibility requirements adopted for the program:

32 (a) Must allow providers to qualify for multiple health care provider incentives, to the extent
33 permitted by federal law.

34 (b) Must allow providers to qualify for an incentive for multiyear periods.

35 (c) Must give preference to applicants willing to:

36 (A) Commit to extended periods of service in rural or medically underserved areas; or

37 (B) Serve patients enrolled in Medicare and the state medical assistance program in at least the
38 same proportion to the provider's total number of patients as the Medicare and medical assistance
39 patient populations represent in relation to the total number of persons determined by the Office
40 of Rural Health to be in need of health care in the area served by the practice.

41 (3) The authority may use funds allocated to the program from the Health Care Provider In-
42 centive Fund to administer or provide funding to a locum tenens program for health care providers
43 practicing in rural areas of this state.

44 (4) The authority may enter into contracts with one or more public or private entities to ad-
45 minister the health care provider incentive program or parts of the program.

1 (5) The authority shall decide no later than September 1 of each academic year the distribution
2 of funds for scholarships that will be provided in the next academic year.

3 (6) The authority may receive gifts, grants or contributions from any source, whether public or
4 private, to carry out the provisions of this section. Moneys received under this subsection shall be
5 deposited in the Health Care Provider Incentive Fund established under ORS 676.450.

6 **SECTION 3.** ORS 676.467 is amended to read:

7 676.467. (1) On the basis of the assessment and the evaluation conducted under ORS 676.459 and
8 676.463, the Oregon Health Policy Board shall determine the best allocation of moneys in the Health
9 Care Provider Incentive Fund established under ORS 676.450 toward providing:

10 (a) Incentives through the health care provider incentive program created by ORS 676.454.

11 (b) Loans or grants to support communities' plans for addressing the unmet health care
12 workforce needs in each community, including but not limited to:

13 (A) Funding start-up costs for new health care professional training programs that:

14 (i) Are designed to expand the racial and ethnic diversity of Oregon's health care workforce;

15 (ii) Are designed to expand the health care workforce in medically underserved areas;

16 (iii) Provide financial incentives to faculty members in health care professional training pro-
17 grams and clinical preceptors;

18 (iv) Ensure that individuals enrolled in the programs are adequately compensated; and

19 (v) Include technical assistance; and

20 (B) Supplementing Medicare funding paid to hospitals for graduate medical education.

21 (2) With respect to the loans and grants provided under subsection (1)(b) of this section, the
22 board shall:

23 (a) Prescribe the process and procedures for communities to apply for loans or grants and for
24 the board to award loans and grants.

25 (b) Establish criteria to ensure that the moneys support community plans that:

26 (A) Include a substantial financial investment by the community, as determined by the board,
27 and may include financial or in-kind support;

28 (B) Are designed to improve the access to health care by medical assistance recipients and
29 Medicare enrollees to the same extent that each plan improves access to health care by the general
30 population of the community; and

31 (C) Are sustainable over the long term.

32 (c) Conduct outreach to communities to solicit ideas and applications for new training programs
33 and other incentive programs.

34 (d) Collaborate with community colleges and public universities in this state.

35 (3) The board shall enter into an agreement with the Oregon Health and Science University to
36 administer this section under the board's direction. **The board and the university may consult
37 with other private and public institutions of higher education, as defined in ORS 348.582, in
38 this state that offer new health care professional training programs.**

39 **SECTION 4.** (1) Section 1 of this 2021 Act first applies to the 2022-2023 academic year.

40 (2) **The amendments to ORS 676.454 and 676.467 by sections 2 and 3 of this 2021 Act be-
41 come operative on January 1, 2022.**

42 **SECTION 5.** There is appropriated to the Oregon Health and Science University, for the
43 biennium beginning July 1, 2021, out of the General Fund, the amount of \$_____ for the
44 purpose of administering the Indian Health Scholarship Program created in section 1 of this
45 2021 Act.

1 **SECTION 6. This 2021 Act being necessary for the immediate preservation of the public**
2 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
3 **on July 1, 2021.**

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