

By: Chisum

H.B. No. 4324

A BILL TO BE ENTITLED

AN ACT

relating to repayment assistance for certain physician education loans.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 61.532, Education Code, is amended to read as follows:

Sec. 61.532. ELIGIBILITY. (a) To be eligible to receive repayment assistance, a physician must apply to the coordinating board, have graduated from a medical school of an institution of higher education, and have completed at least one year of medical practice:

(1) in private practice in an economically depressed or rural medically underserved area of the state;

(2) for one of the following state agencies:

(A) the [~~Texas~~] Department of State Health Services;

(B) the [~~Texas~~] Department of Aging and Disability Services [~~Mental Health and Mental Retardation~~];

(C) the Texas Department of Criminal Justice [~~Corrections~~]; or

(D) the Texas Youth Commission; [~~or~~]

(3) for an approved family practice residency training program established under Subchapter I as a clinical faculty member and have completed training in an approved family practice

1 residency training program on or after July 1, 1994; or

2 (4) in primary care or in a medical specialty of acute
3 physician shortage, as determined by the coordinating board in
4 consultation with the Department of State Health Services, and in:

5 (A) a hospital or clinic with a patient
6 population of whom at least 50 percent are uninsured or receive
7 Medicaid; or

8 (B) a public hospital, as defined by Section
9 61.002, Health and Safety Code.

10 (b) The coordinating board may by rule provide for repayment
11 assistance on a pro rata basis for physicians practicing as
12 described by Subsection (a)(2), (3), or (4) on a part-time basis
13 ~~[for an approved family practice residency training program~~
14 ~~established under Subchapter I of this chapter or a state agency~~
15 ~~specified in Subsection (a) of this section].~~

16 SECTION 2. Section 61.537(a), Education Code, is amended to
17 read as follows:

18 (a) The coordinating board shall adopt rules necessary for
19 the administration of this subchapter, including rules ~~[a rule]~~
20 that:

21 (1) set an appropriate [sets a] maximum amount of
22 repayment assistance that may be received by a physician in one
23 year, except that the maximum amount of repayment assistance that
24 may be received in one year by a physician who establishes
25 eligibility under Section 61.532(a)(4) may not exceed 33 percent of
26 the total amount of the physician's eligible loans under Section
27 61.534 or \$35,000, whichever amount is less;

1 (2) authorize [~~and a rule that authorizes~~] the Family
2 Practice Residency Advisory Committee to establish priorities
3 among eligible physicians for repayment assistance, by
4 considering:

5 (A) [~~taking into account~~] the degree of physician
6 shortage;

7 (B) [~~τ~~] geographic locations;

8 (C) [~~τ~~] whether the physician is or will be
9 providing service in an economically depressed or rural [~~a~~]
10 medically underserved area or service as described by Section
11 61.532(a)(4); [~~τ~~] and

12 (D) other criteria the committee considers
13 appropriate; and

14 (3) administer the program under this subchapter in a
15 manner that maximizes any matching funds available through the
16 National Health Service Corps program of the United States
17 Department of Health and Human Services.

18 SECTION 3. Section 61.539, Education Code, is amended by
19 amending Subsection (b) and adding Subsection (b-1) to read as
20 follows:

21 (b) The amount set aside shall be transferred to the
22 comptroller of public accounts to be maintained in the state
23 treasury for the sole purpose of repayment of student loans of a
24 physician serving:

25 (1) in a designated state agency;

26 (2) [~~or~~] in an area of this state that is economically
27 depressed or that is a medically underserved area or health

1 professional shortage area, as designated by the United States
2 Department of Health and Human Services, that has a current
3 shortage of physicians; or

4 (3) as described by Section 61.532(a)(4).

5 (b-1) Section 403.095, Government Code, does not apply to
6 the amount set aside by this section.

7 SECTION 4. As soon as practicable after the effective date
8 of this Act, the Texas Higher Education Coordinating Board shall
9 adopt rules necessary to administer Subchapter J, Chapter 61,
10 Education Code, as amended by this Act.

11 SECTION 5. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2009.