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Sixty-fourth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2205

Introduced by

Senator Bekkedahl

Representatives Hawken, Hofstad, Keiser, Meier

A BILL for an Act to amend and reenact sections 43-28.1-01~~, 43-28.1-02~~, 43-28.1-03, ~~and 43-28.1-04~~43-28.1-05, 43-28.1-08, and 43-28.1-09 of the North Dakota Century Code, relating to the dentists' loan repayment program; to repeal sections 43-28.1-01.1, 43-28.1-02, 43-28.1-04, and 43-28.1-10 of the North Dakota Century Code, relating to the loan repayment program for dentists in public health and nonprofit dental clinics and new practice grants for dentists; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-28.1-01 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-01. Loan repayment program - Dentists - Defined need - Maximum amount of funds.

Each year the state health council shall select, from a pool of applicants ~~no more than three~~, dentists who shall provide dental services ~~to communities~~in cities or surrounding areas, or both, in this state which the state health council identifies as having a defined need for dental services. ~~Subject to the availability of funding, the~~The dentists selected from this pool of applicants may include dentists who will provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic. The dentists are eligible to receive funds for the repayment of their education loans. The funds, which are payable over a ~~four-year~~five-year period, may not exceed ~~eighty~~one hundred thousand dollars per applicant. If the state health council accepts any gifts, grants, or donations under this chapter, the council may select additional dentists for participation in the loan repayment program under this chapter.

~~**SECTION 2. AMENDMENT.** Section 43-28.1-02 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**43-28.1-02. Loan repayment program - Dentists - Powers of state health council.**~~

~~The state health council may:~~

~~1. Determine the eligibility and qualifications of an applicant for loan repayment funds under this chapter.~~

~~2. Identify communities~~sites ~~that are in need of a dentist and establish a priority ranking for participation in the program by the selected communities~~sites~~.~~

~~3. Create and distribute a loan repayment application.~~

~~4. Determine the amount of the loan repayment funds for which a dentist is eligible under this chapter and, in making this determination, examine any outstanding education loans incurred by the applicant.~~

~~5. Establish conditions regarding the use of the loan repayment funds.~~

~~6. Enter a four-year nonrenewable contract with the dentist and the selected community~~site ~~to provide to the dentist funds for the repayment of education loans in exchange for the dentist agreeing to practice in the selected community~~ or in a public health clinic or nonprofit clinic~~.~~

~~7. Receive and use funds appropriated for the program.~~

~~8. Enforce any contract under the program.~~

~~9. Cancel a contract for reasonable cause.~~

~~10. Participate in federal programs that support the repayment of education loans incurred by dentists and agree to the conditions of the federal programs.~~

~~11. Accept property from an entity.~~

~~12. Cooperate with the state department of health to effectuate this chapter.~~

SECTION 2. AMENDMENT. Section 43-28.1-03 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-03. ~~**Dentist selection criteria - Eligibility for loan repayment**~~**Criteria.**

1. ~~In establishing the criteria regarding a dentist's eligibility for loan repayment funds under this chapter, the state health council shall include consideration of:~~

   ~~a. The dentist's training in general dentistry or in a dental specialty and the extent to which such services are needed in a selected community~~site~~.~~

   ~~b. The dentist's commitment to serve in a community~~site ~~that is in need of a dentist.~~

   ~~c. The compatibility of the dentist with a selected community~~site~~.~~

d. The date by which the dentist would be available for service to the selected community site.

e. The dentist's competence and professional conduct.

f. The dentist's willingness to accept medicare and medicaid patients.

2. A dentist who is selected to receive loan repayment funds under this chapter:

a. (1) May not have practiced dentistry full time in this state during the three years immediately preceding the application;

(2) Must have graduated from an accredited graduate specialty training program in dentistry during the year immediately preceding the application or within one year after the date of the application; or

(3) Must be enrolled in an accredited graduate specialty training program in dentistry; and

b. Must be licensed to practice dentistry in this state.

3. Dentists selected must be licensed to practice dentistry in this state and shall contract to provide full-time dental services for a minimum of four years in one or more selected communities sites.

4.3. For the purposes of a dentist selected for loan payment who practices within fifteen miles [24.14 kilometers] of the city limits of Bismarck, Fargo, or Grand Forks, to qualify to receive a yearly disbursement under this chapter during that year of obligated service, the dentist must have:

a. Received dental medical payments of at least twenty thousand dollars in the form of medical assistance reimbursement; or

b. Practiced at least two full workdays per week at a public health clinic or at a nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental clinic's patients. The health council shall establish criteria to be used in selecting qualified dentists and in identifying cities or surrounding areas, or both, that have a defined need for dental services. The criteria must include consideration of:

a. The number of dentists already providing dental services in the city or surrounding areas, or both;

b. Access to dental services in the city and the surrounding areas;

c. How the dentist will provide dental services in a public health clinic, a practice with a focus on an underserved population, or a nonprofit dental clinic; and

d. The dentist's training in general dentistry or in a dental specialty and the extent to which such services are needed in the identified city or surrounding areas, or both.

2. For purposes of a dentist selected for loan payment under this chapter who practices within fifteen miles [24.14 kilometers] of the city limits of one of the three largest cities in the state, to qualify to receive a yearly disbursement under this chapter during that year of obligated service, the dentist must have:

a. Received dental medical payments of at least twenty thousand dollars in the form of medical assistance reimbursement; or

b. Practiced at least two full workdays per week at a public health clinic or at a nonprofit dental clinic that uses a sliding fee schedule to bill the nonprofit dental clinic's patients.

3. The health council may consult with public and private sector entities in establishing criteria and evaluating needs based on the criteria.

~~**SECTION 3. AMENDMENT.** Section 43-28.1-04 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**43-28.1-04. Community selection criteriaSite.**~~

~~1. The state health council shall apply the following criteria in selecting a community~~site ~~with a defined need for the services of a dentist:~~

~~a. The size of the community, with rural communities with a population under two thousand five hundred given highest priority, communities with a population between two thousand five hundred and ten thousand given the next highest priority, and communities with a population greater than ten thousand given the lowest priority. In cities with a population greater than ten thousand, first priority must be given to dentists who commit to satellite to underserved areas, then to dentists who practice at a public health clinic or nonprofit clinic, and then priority is given to dental specialists in cities with an identified need for a specialist.~~

~~b. The number of dentists practicing in the community and the surrounding area.~~

~~c. The access by residents to dentists practicing in the community and the surrounding area.~~

~~d. The mix of dental specialties in the community and surrounding area.~~

~~e. The degree to which residents support the addition of a dentist within the community.~~

~~2. The state health council shall give priority for participation to a communitysite that demonstrates a need for a dentist or for an individual who is trained in a dental specialty or who is willing to serve in a public health clinic or nonprofit clinic.~~

~~3. In evaluating communities for participation in this program, the state health council may consult with public and private entities and visit the communities.~~

SECTION 3. AMENDMENT. Section 43-28.1-05 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-05. Eligible loans.

The state health council may provide for loan repayment funds to a dentist who has received an education loan. The council may not provide funds for the repayment of any loan that is in default at the time of the application. The amount of repayment must be related to the dentist's outstanding education loans. A dentist is eligible to receive loan repayment funds in an amount equal to the outstanding balance of the dentist's education loans with applicable interest, or ~~eighty~~one hundred thousand dollars, whichever is less. Loan repayment funds may not be used to satisfy other service obligations under similar programs.

SECTION 4. AMENDMENT. Section 43-28.1-08 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-08. Payment.

The state health council may not provide any loan repayment funds to a dentist under this chapter until the dentist has practiced at least six months on a full-time basis in the ~~selected community~~city or surrounding areas, or both, the state health council has identified as having a defined need for dental services. Loan repayment funds for a year of obligated service are payable by the state health council no later than the end of the fiscal year in which the dentist completes the year of obligated service.

SECTION 5. AMENDMENT. Section 43-28.1-09 of the North Dakota Century Code is amended and reenacted as follows:

43-28.1-09. Gifts, grants, and donations - Continuing appropriation.

The state health council may accept any conditional or unconditional gift, grant, or donation for the purpose of providing funds for the repayment of dentists' educational loans. If any entity desires to provide funds to the council to allow an expansion of the program beyond the ~~three~~ dentists contemplated by this chapter, the entity shall commit to fund fully the expansion for a period of ~~four~~five years. The council may contract with any public or private entity and may expend any moneys available to the council to obtain matching funds for the purposes of this chapter. All money received as gifts, grants, or donations under this section is appropriated as a continuing appropriation to the state health council for the purpose of providing funds for the repayment of additional dentists' educational loans.

SECTION 6. REPEAL. Sections 43-28.1-01.1, 43-28.1-02, 43-28.1-04, and 43-28.1-10 of the North Dakota Century Code are repealed.

SECTION 7. APPLICATION. Sections 43-28.1-01.1, 43-28.1-02, 43-28.1-04, and 43-28.1-10 continue to apply to any dentists who received a grant under those sections before the effective date of this Act.