

**SENATE BILL NO. 2034
with House Amendments
SENATE BILL NO. 2034**

Sixty-fifth
Legislative Assembly
of North Dakota

Introduced by

Legislative Management

(Health Services Committee)

1 A BILL for an Act to amend and reenact sections 43-12.3-01, 43-12.3-05, and 43-12.3-06 of the
2 North Dakota Century Code, relating to a nursing faculty student loan repayment program.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 43-12.3-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **43-12.3-01. Student loan repayment programs - Health care professionals.**

7 The health council shall administer student loan repayment programs, as established by
8 this chapter, for health care professionals willing to provide services in areas of this state that
9 have a defined need for such services or willing to provide services as otherwise provided
10 under this chapter.

11 **SECTION 2. AMENDMENT.** Section 43-12.3-05 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **43-12.3-05. Health care professionals - Selection criteria.**

14 1. The health council shall establish criteria to be used in selecting health care
15 professionals for participation in a student loan repayment program. The criteria must
16 include:

- 17 a. The health care professional's specialty;
- 18 b. The need for the health care professional's specialty within an area;
- 19 c. The health care professional's education and experience;
- 20 d. The health care professional's date of availability and anticipated term of
21 availability; and
- 22 e. The health care professional's willingness to accept medicare and medicaid
23 assignments, if applicable.

- 1 2. ~~In~~Except as otherwise provided under this chapter, in selecting health care
2 professionals for participation in the program the health council shall require that the
3 individual:
- 4 a. Is physically present at and provides services on a full-time basis to an entity that
5 meets the requirements of section 43-12.3-04; or
- 6 b. (1) Is physically present at and provides services on at least a half-time basis to
7 an entity that meets the requirements of section 43-12.3-04;
8 (2) Provides telehealth services to a second entity that meets the requirements
9 of section 43-12.3-04; and
10 (3) Verifies that the services provided under paragraphs 1 and 2 are equal to
11 the full-time requirement of subdivision a.
- 12 3. In selecting health care professionals for participation in a program, the health council
13 may consider an individual's:
- 14 a. Length of residency in this state; and
15 b. Attendance at an in-state or an out-of-state institution of higher education.

16 **SECTION 3. AMENDMENT.** Section 43-12.3-06 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **43-12.3-06. Student loan repayment program - Contract.**

- 19 1. The health council shall enter ~~into~~ a contract with a selected health care professional.
20 The health council shall agree to provide student loan repayments on behalf of the
21 selected health care professional subject to the requirements and limitations of this
22 section.
- 23 a. For a physician:
- 24 (1) The loan repayment must be equal to twenty thousand dollars per year; and
25 (2) The matching funds must equal fifty percent of the amount required in
26 paragraph 1.
- 27 b. For a clinical psychologist:
- 28 (1) The loan repayment must be equal to twelve thousand dollars per year; and
29 (2) The matching funds must equal twenty-five percent of the amount required
30 in paragraph 1.
- 31 c. For an advanced practice registered nurse or a physician assistant:

- 1 (1) The loan repayment must be equal to four thousand dollars per year; and
- 2 (2) The matching funds must equal ten percent of the amount required in
- 3 paragraph 1.
- 4 d. (1) For a behavioral health professional:
- 5 (a) The loan repayment must be equal to four thousand dollars per year;
- 6 and
- 7 (b) The matching funds must equal ten percent of the amount required in
- 8 subparagraph a.
- 9 (2) For purposes of this subdivision, a behavioral health professional means an
- 10 individual who practices in the behavioral health field and is:
- 11 (a) A licensed addiction counselor;
- 12 (b) A licensed professional counselor;
- 13 (c) A licensed social worker;
- 14 (d) A registered nurse; or
- 15 (e) A specialty practice registered nurse.
- 16 e. For a nursing program faculty student:
- 17 (1) The loan repayment may not be more than two thousand dollars per year;
- 18 (2) For purposes of this subdivision, a qualified nursing faculty student:
- 19 (a) Must be a member of a nursing program faculty at an institution of
- 20 higher education located in this state who advanced that faculty
- 21 member's education through a master's degree or doctorate degree;
- 22 (b) Must have been employed full-time as a nursing program faculty
- 23 member at an institution of higher education located in this state while
- 24 pursuing the advanced degree; and
- 25 (c) Following completion of the advanced degree, shall continue full-time
- 26 employment as a nursing program faculty member at an institution of
- 27 higher education located in this state; and
- 28 (3) This loan repayment program is not subject to private or public entity
- 29 participation under sections 43-12.3-03 and 43-12.3-04 and subsection 2 of
- 30 section 43-12.3-05.

- 1 2. a. Payments under this section must be made on behalf of the health care
2 professional directly to the Bank of North Dakota or to another participating
3 lending institution.
- 4 b. Except as otherwise provided, payments under this section may be made only at
5 the conclusion of each twelve month period of service.
- 6 c. Prorated payments may be made only if:
- 7 (1) The repayment of the loan requires less than a full annual payment;
- 8 (2) The health care professional is terminated or resigns from ~~his or her~~that
9 professional's position; or
- 10 (3) The health care professional is unable to complete a twelve-month period of
11 service due to the individual's death, a certifiable medical condition or
12 disability, or a call to military service.
- 13 3. Payments under this section terminate upon the earlier of:
- 14 a. The full repayment of the health care professional's student loan; or
- 15 b. The completion of five years as a participant in the student loan repayment
16 program.
- 17 4. The health council shall waive the requirements of this section that pertain to matching
18 funds if the health care professional opens a new practice as a solo practitioner in a
19 city that has fewer than fifteen thousand residents.