

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1035  
(Legislative Management)  
(Health Services Committee)

AN ACT to amend and reenact sections 43-28.1-07 and 43-28.1-08 of the North Dakota Century Code, relating to the dentist loan repayment program; to repeal section 43-28.1-06 of the North Dakota Century Code, relating to breach of the dentist loan repayment program; and to provide for application.

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

**SECTION 1. AMENDMENT.** Section 43-28.1-07 of the North Dakota Century Code is amended and reenacted as follows:

**43-28.1-07. Release from ~~contract~~Contract obligation.**

4. The state health council shall ~~release a dentist from the dentist's loan repayment contract,~~ without penalty, if:
- a. ~~The dentist has completed the service requirements of the contract;~~
  - b. ~~The dentist is unable to complete the service requirement of the contract because of a permanent physical disability;~~
  - e. ~~The dentist demonstrates to the state health council extreme hardship or shows other good cause justifying the release; or~~
  - d. ~~The dentist dies.~~
2. ~~A decision by the state health council not to release a dentist from the dentist's loan repayment contract without penalty is reviewable by district court~~enter a contract with a selected dentist. The contract must provide the state health council agrees to make payments of loan repayment funds to the selected dentist, subject to the dentist meeting the requirements and limitations established by the state health council under this chapter.

**SECTION 2. AMENDMENT.** Section 43-28.1-08 of the North Dakota Century Code is amended and reenacted as follows:

**43-28.1-08. Payment - Termination.**

1. ~~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 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.~~
2. Except as otherwise provided, the state health council shall make payments under this chapter at the conclusion of each of the five twelve-month periods of service during which the dentist met the qualifying terms of the contract. The state health council may make a prorated payment under this chapter if during the twelve-month period the dentist failed to meet the qualifying terms of the contract.

3. Payments under this chapter terminate upon the earlier of completion of five years as a participant in this loan repayment program or failure of the dentist to meet the qualifying terms under the contract.

**SECTION 3. REPEAL.** Section 43-28.1-06 of the North Dakota Century Code is repealed.

**SECTION 4. APPLICATION.** In the case of a dental student loan repayment contract under chapter 43-28.1 which was entered before the effective date of this Act, the state health council and that dentist may amend the terms of the contract to comply with this Act.

\_\_\_\_\_  
Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1035.

House Vote:      Yeas 90              Nays 0              Absent 4

Senate Vote:    Yeas 46              Nays 0              Absent 1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State