

ENROLLED ACT NO. 62, HOUSE OF REPRESENTATIVES

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2008 BUDGET SESSION

AN ACT relating to health care services; providing a grant program for physician recruitment; providing grant eligibility and payment conditions; granting rulemaking authority; repealing a local matching funds requirement for the physician and dentist loan repayment program; providing an appropriation; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 35-1-1101 is created to read:

ARTICLE 11
PHYSICIAN RECRUITMENT GRANT PROGRAM

35-1-1101. Physician recruitment grant program.

(a) There is created the Wyoming physician recruitment program administered by the department.

(b) There is created the Wyoming physician recruitment account. Funds in the account are continuously appropriated to the department to provide grants for physician recruitment. Up to ten percent (10%) of the funds may be used to advertise the physician recruitment program.

(c) In July of each year, the department shall solicit physician recruitment applications from hospitals, physicians and others seeking to recruit physicians. The applications shall be prioritized by need based on geographic area, then by medical need within the geographic area. A priority shall be given to recruitment to private physician practice. In September of each year, the department shall issue award letters to the persons or entities receiving grant authorizations. The grant

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authorizations shall authorize the person or entity receiving it, for a period of one (1) year, to make a firm offer of recruitment incorporating the benefits authorized by this section and W.S. 9-2-118 to a candidate, conditioned upon Wyoming licensure and the candidate's signed written agreement to the conditions of this section and W.S. 9-2-118.

(d) The department shall promulgate rules and regulations to administer the program, including provisions for:

(i) Application forms for grants under the program;

(ii) Termination of grants and full or partial repayment if a physician fails to comply with the conditions of this section, rules and regulations of the department adopted pursuant to this section or the terms of the written incentive agreement;

(iii) Reporting requirements for grant recipients.

(e) Grants provided under this section shall be subject to the following:

(i) The physician shall be recruited to a stipulated geographic area;

(ii) A practitioner shall relocate his practice to the state of Wyoming from outside of the state to be eligible for a grant. Practitioners relocating to the state of Wyoming to become employed by the state or by the United States shall not be eligible for grants. This paragraph shall not apply to physicians taking a family

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practice residency in the state or physicians employed by the United States department of defense;

(iii) The recruitment conditions between the hospital and the physician shall meet the conditions set forth in 42 C.F.R. 411.357(e), as amended September 5, 2007;

(iv) Recruitment of new physicians shall be based on demonstrable need. Those recruiting persons or entities demonstrating the greatest need, in the discretion of the department shall be given the highest priority in receiving grants pursuant to this section;

(v) All recruitment incentives shall be in writing and shall be reported on federal income tax forms;

(vi) The recruited physician shall agree to provide medical services in the community to which he was recruited for a period of not less than two (2) years or he shall repay any monies granted under this section to the state of Wyoming plus interest at the rate of ten percent (10%) per annum;

(vii) The recruited physician shall agree to provide medical care for not less than two (2) years in underserved areas of the state and shall accept patients qualified under the Medical Assistance and Services Act, Title XVIII of the federal Social Security Act and the child health insurance program who seek medical care which the health care provider is qualified to provide or he shall repay any monies granted under this section to the state of Wyoming plus interest at the rate of ten percent (10%) per annum;

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(viii) Costs reimbursed through grants under the program may include:

(A) As incentive to the physician recruitment process, recruitment actual costs, up to ten thousand dollars (\$10,000.00) per recruited physician, may be reimbursed to the successful recruiting person or entity paying those costs;

(B) Relocation expenses, not to exceed twenty thousand dollars (\$20,000.00);

(C) Malpractice insurance premium for two (2) years, not to exceed ten thousand dollars (\$10,000.00) per year;

(D) Signing bonuses not to exceed thirty thousand dollars (\$30,000.00).

(ix) Agreements between the department and physicians pursuant to W.S. 9-2-118 may be coordinated with grants and incorporated into grant agreements pursuant to this section; and

(x) The department in administering the program shall attempt to issue at least one-half (1/2) of all grants for physicians whose practice in Wyoming is in connection with a for-profit business enterprise.

(f) As used in this section:

(i) "Department" means the department of health;

(ii) "Hospital" means a county memorial, rural health care district or special hospital district formed and licensed under the laws of the state;

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(iii) "Physician" means an individual licensed or eligible to be licensed under the laws of this state to practice medicine;

(iv) "Program" means the Wyoming physician recruitment grant program;

(v) "Recruiting entity" means a hospital, physician, clinic or other appropriate local organization.

Section 2. W.S. 9-2-118(a)(ii) and 35-1-240(a) by creating a new paragraph (xxii) are amended to read:

9-2-118. Physician and dentist loan repayment program.

(a) The department is authorized to enter into agreements with physicians and dentists who have graduated from accredited residency programs to provide health care in this state. The agreements shall:

(ii) Provide that the physician or dentist shall be repaid up to one hundred percent (100%) of the amount of outstanding educational loans the physician or dentist has acquired as a direct result of undergraduate or postgraduate educational training directly related to providing medical or dental services, not to exceed thirty thousand dollars (\$30,000.00) per year, ~~including the matching funds specified in subsection (d) of this section,~~ in exchange for practicing his profession under the terms of this section;

35-1-240. Powers and duties.

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(a) The department of health, through the state health officer, or under his direction and supervision, through the other employees of the department, shall have and exercise the following powers and duties:

(xxii) Administer the Wyoming physician recruitment grant program provided in W.S. 35-1-1101.

Section 3. W.S. 9-2-118(d) is repealed.

Section 4. There is appropriated four hundred thousand dollars (\$400,000.00) from the general fund to the physician recruitment account created by W.S. 35-1-1101. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2010. This appropriation shall only be expended for the purpose of the physician recruitment program created by W.S. 35-1-1101. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on July 1, 2010. This appropriation shall be included in the department's 2011-2012 standard biennial budget request.

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Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk