

HOUSE BILL NO. HB0155

Recruitment of physicians and dentists.

Sponsored by: Representative(s) Lubnau, Hallinan, Harvey,
Iekel, Landon and Millin

A BILL

for

1 AN ACT relating to health care services; providing a grant
2 program for physician recruitment; providing grant
3 eligibility and payment conditions; granting rulemaking
4 authority; repealing a local matching funds requirement for
5 the physician and dentist loan repayment program; providing
6 appropriations; authorizing a position; and providing for
7 an effective date.

8

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

10

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

12

13 ARTICLE 11

14 PHYSICIAN RECRUITMENT GRANT PROGRAM

15

16 **35-1-1101. Physician recruitment grant program.**

1

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

4

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

11

12 (c) In July of each year, the department shall
13 solicit physician recruitment applications from hospitals,
14 physicians and others seeking to recruit physicians. The
15 applications shall be prioritized by need based on
16 geographic area, then by medical need within the geographic
17 area. A priority shall be given to recruitment to private
18 physician practice. In September of each year, the
19 department shall issue award letters to the persons or
20 entities receiving grant authorizations. The grant
21 authorizations shall authorize the person or entity
22 receiving it, for a period of one (1) year, to make a firm
23 offer of recruitment incorporating the benefits authorized
24 by this section and W.S. 9-2-118 to a candidate,

1 conditioned upon Wyoming licensure and the candidate's
2 signed written agreement to the conditions of this section
3 and W.S. 9-2-118.

4

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

8

9 (i) Application forms for grants under the
10 program;

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

17

18 (iii) Reporting requirements for grant
19 recipients.

20

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

23

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

3

4 (ii) A practitioner shall relocate his practice
5 to the state of Wyoming from outside of the state to be
6 eligible for a grant. Practitioners relocating to the
7 state of Wyoming to become employed by the state or by the
8 United States shall not be eligible for grants. This
9 paragraph shall not apply to physicians taking a family
10 practice residency in the state or physicians employed by
11 the United States department of defense;

12

13 (iii) The recruitment conditions between the
14 hospital and the physician shall meet the conditions set
15 forth in 42 C.F.R. 411.357(e), as amended September 5,
16 2007;

17

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

23

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

3

4 (vi) The recruited physician shall agree to
5 provide medical services in the community to which he was
6 recruited for a period of not less than two (2) years or he
7 shall repay any monies granted under this section to the
8 state of Wyoming plus interest at the rate of ten percent
9 (10%) per annum;

10

11 (vii) The recruited physician shall agree to
12 provide medical care for not less than two (2) years in
13 underserved areas of the state and shall accept patients
14 qualified under the Medical Assistance and Services Act,
15 Title XVIII of the federal Social Security Act and the
16 child health insurance program who seek medical care which
17 the health care provider is qualified to provide or he
18 shall repay any monies granted under this section to the
19 state of Wyoming plus interest at the rate of ten percent
20 (10%) per annum;

21

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

24

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

6

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

9

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

13

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

16

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

21

22 (x) The department in administering the program
23 shall attempt to issue at least one-half (1/2) of all

1 grants for physicians whose practice in Wyoming is in
2 connection with a for-profit business enterprise.

3
4 (f) As used in this section:

5
6 (i) "Department" means the department of health;

7
8 (ii) "Hospital" means a county memorial, rural
9 health care district or special hospital district formed
10 and licensed under the laws of the state;

11
12 (iii) "Physician" means an individual licensed
13 or eligible to be licensed under the laws of this state to
14 practice medicine;

15
16 (iv) "Program" means the Wyoming physician
17 recruitment grant program;

18
19 (v) "Recruiting entity" means a hospital,
20 physician, clinic or other appropriate local organization.

21
22 **Section 2.** W.S. 9-2-118(a)(ii) and 35-1-240(a) by
23 creating a new paragraph (xxii) are amended to read:

1 **9-2-118. Physician and dentist loan repayment**
2 **program.**

3

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

8

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

19

20 **35-1-240. Powers and duties.**

21

22 (a) The department of health, through the state
23 health officer, or under his direction and supervision,

1 through the other employees of the department, shall have
2 and exercise the following powers and duties:

3
4 (xxii) Administer the Wyoming physician
5 recruitment grant program provided in W.S. 35-1-1101.

6
7 **Section 3.** W.S. 9-2-118(d) is repealed.

8
9 **Section 4.**

10
11 (a) There is appropriated eight hundred thousand
12 dollars (\$800,000.00) from the general fund to the
13 physician recruitment account created by W.S. 35-1-1101.
14 This appropriation shall be for the period beginning with
15 the effective date of this act and ending June 30, 2010.
16 This appropriation shall only be expended for the purpose
17 of the physician recruitment program created by W.S.
18 35-1-1101. Notwithstanding any other provision of law, this
19 appropriation shall not be transferred or expended for any
20 other purpose and any unexpended, unobligated funds
21 remaining from this appropriation shall revert as provided
22 by law on July 1, 2010. This appropriation shall be
23 included in the department's 2011-2012 standard biennial
24 budget request.

1

2 (b) There is appropriated ninety thousand dollars
3 (\$90,000.00) from the general fund and one (1) half-time
4 position is authorized to the department of health. This
5 appropriation shall be for the period beginning with the
6 effective date of this act and ending June 30, 2010. This
7 appropriation shall only be expended for the purpose of
8 administering the physician recruitment program created by
9 W.S. 35-1-1101. Notwithstanding any other provision of law,
10 this appropriation shall not be transferred or expended for
11 any other purpose and any unexpended, unobligated funds
12 remaining from this appropriation shall revert as provided
13 by law on July 1, 2010. This appropriation shall be
14 included in the department's 2011-2012 standard biennial
15 budget request.

16

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

21

22

(END)