

SENATE NO. 731

AN ACT TO PROMOTE ENHANCED ACCESS TO PHYSICIANS AND OTHER HEALTH CARE PROFESSIONALS

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

- 1 SECTION 1. Section 19A of chapter 15A of the general laws, as appearing in the 2004 Official
2 Editions, is hereby amended, by striking out said section in its entirety and inserting in place
3 thereof, the follow new section:-
- 4 Section 19A. Student loan repayment program; guidelines; expenses for administration
- 5 Section 19A. (a) Educational Assistance for Teachers. There shall be a student loan repayment
6 program known as the attracting excellence to teaching program, for the purpose of encouraging
7 outstanding students to teach in the public schools of the commonwealth by providing financial
8 assistance for the repayment of qualified education loans, as defined below. The program shall be
9 administered by the board of education in accordance with guidelines promulgated by the board of
10 higher education. The program shall be subject to appropriation.
- 11 The term “qualified education loan” shall mean any indebtedness including interest on such
12 indebtedness incurred to pay tuition or other direct expenses incurred in connection with the pursuit
13 of an undergraduate or graduate degree by an applicant, but shall not include loans made by any
14 person related to the applicant.
- 15 The council shall promulgate guidelines governing the attracting excellence to teaching program.
- 16 These guidelines shall include the following provisions:

17 (1) eligibility for the program shall be limited to persons who have graduated in the top 15 per cent
18 of their undergraduate classes or who have graduated with honors designations, as certified by the
19 institution attended by any such applicant;

20 (2) eligibility shall be limited to persons entering the teaching profession after July first, nineteen
21 hundred and ninety-four;

22 (3) the commonwealth shall repay a participating teacher's student loan at a rate not to exceed one
23 hundred and fifty dollars per month for a period not to exceed forty-eight months;

24 (4) repayment shall be made to the participating teacher annually upon the presentation by the
25 participating teacher of satisfactory evidence of payments under the loan;

26 (5) payments by the commonwealth shall cover only loan payments made by the participating
27 teacher in the months during which the participating teacher teaches in public school in the
28 commonwealth;

29 (6) the program may or may not be limited to teachers who teach in school districts designated by
30 the board of education;

31 (7) the program shall set forth an affirmative action policy and specific annual affirmative action
32 goals. The council shall annually publish a report detailing its efforts to publicize the loan
33 repayment program in order to advance the goals of this affirmative action policy and its success in
34 meeting those goals.

35 Expenses for administration of the program may be retained in an interest bearing trust fund to be
36 established by the board of education and expended for the costs of administering the program
37 without further appropriation, and any funds remaining in the trust fund at the termination of the
38 program shall be returned to the General Fund.

39 (b). Educational Assistance for Physicians. There shall be a student loan repayment program
40 known as the attracting excellence to the medical profession, for the purpose of encouraging
41 outstanding medical school graduates and medical residents to work in underserved practice fields
42 including, but not limited to, primary care, obstetrics, gynecology, neurosurgery, or such practice
43 fields as the board shall certify a shortage. The program shall also promote efforts to encourage
44 physicians to practice in areas of the commonwealth that are deemed underserved by providers of
45 medical care by providing financial assistance for the repayment of qualified education loans, as
46 defined below. The program shall be administered by the board of higher education in accordance
47 with guidelines promulgated by the board of higher education. The program shall be subject to
48 appropriation.

49 The term “qualified education loan” shall mean any indebtedness including interest on such
50 indebtedness incurred to pay tuition or other direct expenses or to repay educational loans incurred
51 in connection with the pursuit of graduate medical degree or post-doctoral medical specialization by
52 an applicant.

53 The council shall promulgate guidelines governing the access to quality medical professionals
54 program. These guidelines shall include the following provisions:

55 (1) eligibility for the program shall be limited to persons who have graduated in the top 15 per cent
56 of their medical school classes or who have graduated with honors designations, as certified by the
57 institution attended by any such applicant;

58 (2) eligibility shall be limited to persons entering the medical profession after July first, two
59 thousand and seven;

60 (3) the commonwealth shall repay a participating physician’s medical student loan at a rate not to
61 exceed one tenth of any total outstanding educational indebtedness per year, and may be renewed

62 annual for not more than four additional years; provided, however, that the amount of the loan
63 repaid annually shall not exceed twenty-five thousand dollars per student. The board may make
64 such repayments on a monthly, quarterly, semi-annual, or annual basis.

65 (4) repayment shall be made to the participating physician annually upon the presentation by the
66 participating physician of satisfactory evidence of payments under the loan and of compliance with
67 the terms of any practice agreement with the board to ensure that the physician is meeting unmet
68 medical practice needs;

69 (5) payments by the commonwealth shall cover only loan payments made by the participating
70 physician in the months during which the participating physician practices in their designated
71 practice field within the commonwealth;

72 (6) the program may or may not be limited to physicians who practice in regions or neighborhoods
73 designated by the board of higher education in an effort to reduce health care disparities resulting
74 from racial, ethnic, gender or geographic issues;

75 (7) the program shall set forth an affirmative action policy and specific annual affirmative action
76 goals aimed at recruiting culturally competent physicians. The board shall annually publish a report
77 detailing its efforts to publicize the loan repayment program in order to advance the goals of this
78 affirmative action policy and its success in meeting those goals.

79 Expenses for administration of the program may be retained in an interest bearing trust fund to be
80 established by the board of higher education and expended for the costs of administering the
81 program without further appropriation, and any funds remaining in the trust fund at the termination
82 of the program shall be returned to the General Fund.

83 (c) . Health Care Workforce Financial Assistance Program. There is hereby created within the
84 Board of Higher Education, the Massachusetts Health Care Workforce Financial Assistance

85 Program to provide professional scholarships and loan repayment assistance to health care
86 professionals who locate or continue to practice in underserved areas of the Commonwealth. For
87 the purposes of this section, “health care professional” shall mean a physician, physician assistant,
88 nurse, dentist, mental health therapist, pharmacist, or other health care professional designated by
89 the department by regulation. “Underserved area or practice field” applies to regions,
90 neighborhoods or fields of health care designated by the Board, in cooperation with the advisory
91 committee, based on results of a needs assessment or other research indicating the current and
92 future needs for services of health care professionals.

93 The Board shall promulgate rules and regulations governing the administration of the program
94 including, but not limited to:

- 95 1. Application procedure;
- 96 2. Eligibility criteria;
- 97 3. Selection criteria;
- 98 4. Service conditions, which at a minimum shall include professional service in an underserved
99 area or practice field for a minimum period of time by any person receiving a scholarship or
100 loan repayment assistance;
- 101 5. Penalties for failure to comply with service conditions or other terms of a scholarship or loan
102 repayment contract;
- 103 6. Criteria for modifying or waiving service conditions or penalties in case of extreme hardship
104 or other good cause; and
- 105 7. Administration of contracts.

106 The Board shall seek and consider recommendations of the Massachusetts Health Care
107 Workforce Financial Assistance Advisory Committee as it develops and modifies rules and
108 regulations to administer the program.

109 Funding for the program shall be a line item within the general appropriations bill, shall be non-
110 lapsing unless otherwise designated, and may be used to cover administrative costs of the program,
111 including reimbursement expenses of the Advisory Committee. Funds may also be received or
112 transferred from other sources including federal grants, the nursing workforce trust fund, or other
113 programs.

114 Loan repayments and payments resulting from breach of contract are dedicated credits to the
115 program. The Board shall prepare an annual report on the revenues, expenditures and outcomes of
116 the program. The Board may enter into cooperative agreements with the Massachusetts
117 Educational Loan Authority or other agencies for the administration of all or part of the program.

118 There shall be an Advisory Committee on the Massachusetts Health Care Workforce Financial
119 Assistance Program, appointed by the Chancellor, to assist the Board with the development and
120 implementation of said program. The committee shall consist of fifteen members: the chancellor of
121 higher education or his designee, who shall serve as chair; one representative of the Massachusetts
122 Hospital Association; one representative of the Massachusetts Medical Society; one representative
123 of the Massachusetts Organization of Nurse Executives; two representatives of nursing schools, one
124 of whom represents a public institution and one of whom represents an independent institution; one
125 representative of a medical school; one representative of a dental school; one representative of the
126 Massachusetts Dental Society; one representative of the Massachusetts Extended Care Federation;
127 one representative of the Massachusetts Home Care Alliance; the Senate and House chairs of the
128 joint committee on labor and workforce development; a representative of the department of

129 employment and training, and one health care representative of the Service Employees International
130 Union.

131 An appointment to the committee shall be for a term of four years unless the member is
132 appointed to an unexpired term. The chancellor may adjust the length of terms at the time of initial
133 appointment or reappointment so that approximately one-half of the committee is appointed every
134 two years. The committee shall meet at the call of the chair or at least three members of the
135 committee, but no less frequently than once each calendar year. A majority of the committee shall
136 constitute a quorum. The action of a majority of a quorum shall constitute action of the committee.
137 Members may not receive compensation for their work associated with the committee, but may
138 receive reimbursement from the Board for travel and parking expenses incurred as a member of the
139 committee, as funds are available, at the rates established by the Chancellor. Members of the
140 committee may decline reimbursement.

141 The committee shall:

- 142 (a) Make recommendations to the Board of Higher Education for the development and
143 modification of rules and regulations to administer the Massachusetts Health Care
144 Workforce Financial Assistance Program; and
- 145 (b) Advise the Board relative to the development of a needs assessment tool or other source
146 for identifying underserved areas, health professions, or fields of health practice.