

CHAPTER 43-12.3
HEALTH CARE PROFESSIONAL STUDENT LOAN REPAYMENT PROGRAM

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

The department of health and human services shall administer student loan repayment programs, as established by this chapter, for health care professionals willing to provide services in areas of this state that have a defined need for such services.

43-12.3-02. Application process.

The department of health and human services shall develop an application process for public and private entities seeking to fill health care needs and for health care professionals willing to provide necessary services in exchange for benefits under a student loan repayment program.

43-12.3-03. Public and private entities - Selection criteria - Matching funds.

1. The department of health and human services shall establish criteria to be used in selecting public and private entities for participation in a program. The criteria must include:
 - a. The number of health care professionals, by specified field, already providing services in the area;
 - b. Access to health care services in the area; and
 - c. The level of support from the area.
2. The department of health and human services may consult with health care and social service providers, advocacy groups, governmental entities, and others in establishing criteria and evaluating needs based on the criteria.
3. An entity may not be selected for participation unless it contractually commits to provide matching funds equal to the amount required for a loan repayment program in accordance with section 43-12.3-06.

43-12.3-04. Public and private entities - Eligibility for participation - Priority.

In selecting public and private entities for participation in a program the department of health and human services shall give priority to an entity that:

1. Meets the selection criteria;
2. Is located in an area that is statistically underserved; and
3. Is located at least twenty miles [32.18 kilometers] outside the boundary of a city having more than forty thousand residents.

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

1. The department of health and human services shall establish criteria to be used in selecting health care professionals for participation in a student loan repayment program. The criteria must include:
 - a. The health care professional's specialty;
 - b. The need for the health care professional's specialty within an area;
 - c. The health care professional's education and experience;
 - d. The health care professional's date of availability and anticipated term of availability; and
 - e. The health care professional's willingness to accept Medicare and Medicaid assignments, if applicable.
2. In selecting health care professionals for participation in the program the department of health and human services shall require that the individual:
 - a. Is physically present at and provides services on a full-time basis to an entity that meets the requirements of section 43-12.3-04; or
 - b. (1) Is physically present at and provides services on at least a half-time basis to an entity that meets the requirements of section 43-12.3-04;

- (2) Provides telehealth services to a second entity that meets the requirements of section 43-12.3-04; and
 - (3) Verifies that the services provided under paragraphs 1 and 2 are equal to the full-time requirement of subdivision a.
3. In selecting health care professionals for participation in a program, the department of health and human services may consider an individual's:
- a. Length of residency in this state; and
 - b. Attendance at an in-state or an out-of-state institution of higher education.

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

1. The department of health and human services shall enter a contract with a selected health care professional. The department of health and human services shall agree to provide student loan repayments on behalf of the selected health care professional subject to the requirements and limitations of this section.
- a. For a physician:
 - (1) The loan repayment may not exceed twenty thousand dollars per year, and may not exceed one hundred thousand dollars over five years; and
 - (2) The matching funds must equal fifty percent of the amount required in paragraph 1.
 - b. For a clinical psychologist:
 - (1) The loan repayment may not exceed twelve thousand dollars per year, and may not exceed sixty thousand dollars over five years; and
 - (2) The matching funds must equal twenty-five percent of the amount required in paragraph 1.
 - c. For an advanced practice registered nurse, a registered nurse, or a physician assistant:
 - (1) The loan repayment may not exceed four thousand dollars per year, and may not exceed twenty thousand dollars over five years; and
 - (2) The matching funds must equal ten percent of the amount required in paragraph 1.
 - d. For a behavioral health professional:
 - (1) The loan repayment may not exceed four thousand dollars per year, and may not exceed twenty thousand dollars over five years; and
 - (2) The matching funds must equal ten percent of the amount required in paragraph 1.
 - e. For purposes of this section, a behavioral health professional means an individual who practices in the behavioral health field and is:
 - (1) A licensed addiction counselor;
 - (2) A licensed professional counselor;
 - (3) A licensed social worker;
 - (4) A registered nurse;
 - (5) A specialty practice registered nurse; or
 - (6) A licensed behavior analyst.
2. a. Payments under this section must be made on behalf of the health care professional directly to the Bank of North Dakota or to another participating lending institution.
- b. Except as otherwise provided, payments under this section may be made only at the conclusion of each twelve-month period of service.
- c. Prorated payments may be made only if:
- (1) The repayment of the loan requires less than a full annual payment;
 - (2) The health care professional is terminated or resigns from his or her position; or
 - (3) The health care professional is unable to complete a twelve-month period of service due to the individual's death, a certifiable medical condition or disability, or a call to military service.
3. Payments under this section terminate upon the earlier of:

- a. The full repayment of the health care professional's student loan; or
 - b. The completion of five years as a participant in the student loan repayment program.
4. The department of health and human services shall waive the requirements of this section which pertain to matching funds if the health care professional opens a new practice as a solo practitioner in a city that has fewer than fifteen thousand residents.

43-12.3-07. Powers of the department - Continuing appropriation.

1. The department of health and human services may:
 - a. Receive and expend any gifts, grants, and other funds for the purposes of this program;
 - b. Participate in any federal programs providing for the repayment of student loans on behalf of health care professionals; and
 - c. Do all things necessary and proper for the administration of this chapter.
2. All moneys received by the department of health and human services under this section are appropriated to the department of health and human services on a continuing basis, to be used exclusively for the purposes of this chapter.