

HOUSE BILL No. 2260

By Committee on Health and Human Services

2-1

1 AN ACT concerning health and healthcare; relating to ~~the postsecondary~~
2 ***and postgraduate*** medical ~~student loan program; loan agreements for~~
3 ***programs and financial assistance therefor; osteopathic medical***
4 ***service scholarships; medical student loan program and residency***
5 ***bridging programs; encouraging the practice of osteopathic***
6 ***medicine, obstetrics and gynecology and mental healthcare; increasing***
7 ***the number of loan agreements that may be provided; prohibiting***
8 ***impediments to students switching between residency training***
9 ***programs; establishing the OBGYN medical loan repayment fund and***
10 ***the OBGYN medical residency bridging fund; amending K.S.A. 74-***
11 ***3265, 74-3268, 76-381, 76-382, 76-383, 76-385, 76-386 and 76-387***
12 ***and repealing the existing ~~section~~ sections; also repealing K.S.A. 76-***
13 ***386a.***

14
15 *Be it enacted by the Legislature of the State of Kansas:*

16 ***Section 1. K.S.A. 74-3265 is hereby amended to read as follows: 74-***
17 ***3265. (a) Within the limits of appropriations for osteopathic medical***
18 ***service scholarships, and in accordance with the provisions of this***
19 ***section, the state board of regents may award such scholarships to***
20 ***Kansas residents who are undergraduate students enrolled in or***
21 ***admitted to accredited or pre-accredited schools of osteopathic medicine***
22 ***in a course of instruction leading to the degree of doctor of osteopathy***
23 ***and who enter into a written agreement with the state board of regents***
24 ***as provided in K.S.A. 74-3266, and amendments thereto.***

25 ***(b) Osteopathic medical service scholarships shall be in effect for***
26 ***the period of time specified in subsection (c) and shall provide to the***
27 ***person receiving the scholarship the payment of an amount not to***
28 ***exceed the maximum amount of a loan authorized to be made under the***
29 ***medical student loan act.***

30 ***(c) Osteopathic medical service scholarships shall be awarded on***
31 ***an annual basis and shall be in effect for one year unless otherwise***
32 ***terminated before the expiration of such period of time. A Kansas***
33 ***resident who is an undergraduate student enrolled in or admitted to an***
34 ***accredited or pre-accredited school of osteopathic medicine in a course***
35 ***of instruction leading to the degree of doctor of osteopathy may be***
36 ***awarded a scholarship for each year the student enters into a written***

1 *agreement with the state board of regents as provided in K.S.A. 74-3266,*
2 *and amendments thereto, up to a maximum of four years. For each year*
3 *a student is awarded a scholarship, the student shall engage in the*
4 *practice of medicine and surgery in Kansas for the period of time*
5 *specified in ~~subsection (a)(3) of K.S.A. 74-3266(a)(3), and amendments~~*
6 *thereto, unless such obligation is otherwise satisfied as provided in*
7 *K.S.A. 74-3268, and amendments thereto.*

8 *(d) The state board of regents shall not award more than ~~15~~ 25*
9 *osteopathic medical service scholarships in any year to persons who*
10 *have not previously been awarded such a scholarship and, in any case,*
11 *the state board shall not award more than ~~60~~ 80 such scholarships in*
12 *any year. In selecting Kansas residents to be awarded osteopathic*
13 *medical service scholarships, the state board shall give primary*
14 *consideration to students commencing their first year of instruction at*
15 *accredited or pre-accredited schools of osteopathic medicine and*
16 *thereafter shall consider students in later years of instruction.*

17 *Sec. 2. K.S.A. 74-3268 is hereby amended to read as follows: 74-*
18 *3268. (a) An obligation to engage in the practice of medicine and*
19 *surgery in accordance with an agreement under K.S.A. 74-3266, and*
20 *amendments thereto, shall be postponed during any period of time: (1)*
21 *~~During any~~ Of required period of active military service; (2) ~~during any~~*
22 *period of service as a part of volunteers in service to America (VISTA);*
23 *(3) ~~during any period of service in the peace corps; (4) ~~during any period~~~~*
24 *of service commitment to the United States public health service; (5)*
25 *~~during any period of religious missionary work conducted by an~~*
26 *organization exempt from tax under section 501(c)(3) of the federal*
27 *internal revenue code as in effect on December 31, 2000; (6) ~~during any~~*
28 *period of time the person obligated is engaged solely in the teaching of*
29 *medicine; (7) ~~during any period of time the person obligated is engaged~~*
30 *solely in medical research; (8) ~~during any period of time the person~~*
31 *obligated is unable because of temporary medical disability to practice*
32 *medicine and surgery; (9) ~~during any period of time the person obligated~~*
33 *is on job-protected leave under the federal family and medical leave act*
34 *of 1993; ~~or (10) ~~during any period of time the state board of regents~~~~*
35 *determines that the person obligated is unable because of special*
36 *circumstances to practice medicine and surgery; or (11) not longer than*
37 *one year during which the person participates in a healthcare-related*
38 *fellowship program.*

39 *(b) ~~Except for clauses~~ subsection (a)(8), (9) and (10), an obligation*
40 *to engage in the practice of medicine and surgery in accordance with an*
41 *agreement under K.S.A. 74-3266, and amendments thereto, shall not be*
42 *postponed more than five years from the time the practice of medicine*
43 *and surgery was to have been commenced under any such agreement.*

1 *An obligation to engage in the practice of medicine and surgery in*
2 *accordance with an agreement under K.S.A. 74-3266, and amendments*
3 *thereto, shall be postponed under—clause subsection (a)(8) during the*
4 *period of time the medical disability exists. An obligation to engage in*
5 *the practice of medicine and surgery in accordance with an agreement*
6 *under K.S.A. 74-3266, and amendments thereto, shall be postponed*
7 *under—clause subsection (a)(9) during the period of time the person*
8 *obligated remains on FMLA leave. An obligation to engage in the*
9 *practice of medicine and surgery in accordance with an agreement*
10 *under K.S.A. 74-3266, and amendments thereto, shall be postponed*
11 *under clause-subsection (a)(10) during the period of time the state board*
12 *of regents determines that the special circumstances exist. The state*
13 *board of regents shall adopt rules and regulations prescribing criteria or*
14 *guidelines for determination of the existence of special circumstances*
15 *causing an inability to practice medicine and surgery, and shall*
16 *determine the documentation required to prove the existence of such*
17 *circumstances.*

18 ~~(b)~~(c) *An obligation to engage in the practice of medicine and*
19 *surgery in accordance with an agreement under K.S.A. 74-3266, and*
20 *amendments thereto, shall be satisfied: (1) If the obligation to engage in*
21 *the practice of medicine and surgery has been completed in accordance*
22 *with the agreement; (2) if the person obligated dies; (3) if, because of*
23 *permanent physical disability, the person obligated is unable to practice*
24 *medicine and surgery; (4) if the person obligated fails to satisfy the*
25 *requirements for a degree of doctor of osteopathy after making the best*
26 *effort possible to obtain such degree; or (5) if the person obligated fails*
27 *to satisfy all requirements for a permanent license to practice medicine*
28 *and surgery in Kansas or any other jurisdiction or has been denied a*
29 *license after the person has applied for a license and has made the best*
30 *effort possible to obtain a license.*

31 *Sec. 3. K.S.A. 76-381 is hereby amended to read as follows: 76-381.*
32 *As used in K.S.A. 76-380 through 76-386, and amendments thereto:*

33 *(a) "Act" means the medical student loan act;*

34 *(b) "approved postgraduate residency training program" means a*
35 *residency training program in general pediatrics, general internal*
36 *medicine, family medicine, family practice, emergency medicine,*
37 *obstetrics and gynecology, general psychiatry, child psychiatry or*
38 *fellowship training in geriatric medicine;*

39 *(c) "service commitment area" means: (1) Any community within*
40 *any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee*
41 *or Wyandotte county; (2) any state medical care facility or institution;*
42 *(3) any medical center operated by the veterans administration of the*
43 *United States; (4) the full-time faculty of the university of Kansas school*

1 ~~of medicine in family medicine, family practice, general psychiatry or~~
2 ~~child psychiatry if serving as full-time faculty as provided in K.S.A. 76-~~
3 ~~384(c), and amendments thereto; or (5) any community within Wyandotte~~
4 ~~county for purposes of any practice obligation under an agreement~~
5 ~~entered into by a person who is enrolled for the first time after July 1,~~
6 ~~2004, in a course of study leading to the medical degree; and~~

7 (d) *"state medical care facility or institution" includes, but is not*
8 *limited to, the Kansas state school for the visually handicapped blind, the*
9 *Kansas state school for the deaf, any institution under the secretary for*
10 *aging and disability services, as defined by in K.S.A. 76-12a01, and*
11 *amendments thereto, any institution under the commissioner of juvenile*
12 *justice as defined by in K.S.A. 38-2302, and amendments thereto, the*
13 *Kansas soldiers' home, the Kansas veterans' home and any correctional*
14 *institution under the secretary of corrections, as defined by in K.S.A. 75-*
15 *5202, and amendments thereto, but shall not include any state*
16 *educational institution under the state board of regents, as defined by in*
17 *K.S.A. 76-711, and amendments thereto, except as specifically provided*
18 *by statute.*

19 ~~Section 4.~~ *Sec. 4.* K.S.A. 76-382 is hereby amended to read as
20 follows: 76-382. (a) There is hereby established the medical student loan
21 program at the university of Kansas school of medicine.

22 (b) Subject to the provisions of appropriation acts, the university of
23 Kansas school of medicine may make medical student loans in accordance
24 with the provisions of ~~this the medical student loan act~~ to undergraduate
25 students enrolled in or admitted to the university of Kansas school of
26 medicine in a course of instruction leading to the degree of doctor of
27 medicine who enter into a written medical student loan agreement with the
28 university of Kansas school of medicine in accordance with K.S.A. 76-
29 383, and amendments thereto.

30 (c) Each medical student loan agreement under ~~this the medical~~
31 ~~student loan act~~ shall provide to the person receiving the loan the payment
32 of all tuition and a stipend for living expenses in an amount of up to
33 \$2,000 per month for each month enrolled in such school during a year.
34 Subject to the maximum amount, the amount of the monthly stipend shall
35 be determined on an annual basis by the student receiving the loan.

36 (d) Subject to the provisions of appropriation acts, medical student
37 loan agreements under ~~this the medical student loan act~~ may be entered
38 into on an annual basis and shall provide the payment of the amounts
39 specified under subsection (c) for one year unless otherwise terminated
40 before such period of time. Subject to the provisions of appropriation acts,
41 an undergraduate student enrolled in or admitted to the university of
42 Kansas school of medicine in a course of instruction leading to the degree
43 of doctor of medicine may receive a separate loan under ~~this the medical~~

1 *student loan* act for each separate year the student enters into a written
2 medical student loan agreement with the university of Kansas school of
3 medicine in accordance with K.S.A. 76-383, and amendments thereto.
4 Loans may be awarded retroactively for any academic year that a student
5 has completed successfully at the university of Kansas medical school; but
6 for which a loan had not previously been awarded. Retroactive loans shall
7 be in an amount equal to the amount of tuition paid by the student, plus a
8 stipend in an amount not to exceed the maximum amount of the stipend for
9 such academic year multiplied by the number of months for which the
10 student was enrolled at the medical school during such year. For each
11 separate year a student receives a loan under ~~this~~ *the medical student loan*
12 act, the student shall engage in the full-time practice of medicine and
13 surgery in an appropriate service commitment area for a period of 12
14 months unless such obligation is otherwise satisfied as provided in K.S.A.
15 76-386, and amendments thereto.

16 (e) Medical student loans shall be awarded on a priority basis as
17 follows: First, to qualified applicants who are Kansas residents at the time
18 of entry into the university of Kansas school of medicine; and second, to
19 qualified applicants who are not Kansas residents at the time of entry into
20 the university of Kansas school of medicine. As used in this subsection,
21 "Kansas residents" means persons who meet the residence requirements
22 established in K.S.A. 76-729, and amendments thereto.

23 (f) Subject to appropriations, the university of Kansas school of
24 medicine shall enter into medical student loan agreements with ~~six~~ *up to*
25 *12* individuals who commit to satisfy obligations to engage in the full-time
26 practice of medicine and surgery in a service commitment area by:

27 (1) Serving as a full-time faculty member of the university of Kansas
28 school of medicine in general psychiatry or child psychiatry pursuant to
29 K.S.A. 76-384(c), and amendments thereto; or

30 (2) performing at least 100 hours per month of on-site mental ~~health~~
31 ~~care~~ *healthcare* pursuant to K.S.A. 76-384(d), and amendments thereto.

32 (g) *For any student who has entered into a medical student loan*
33 *agreement pursuant to the medical student loan act, the university of*
34 *Kansas school of medicine shall not prohibit or otherwise create any*
35 *substantial impediment to such student switching between approved*
36 *postgraduate residency training programs.*

37 ***Sec. 5. K.S.A. 76-383 is hereby amended to read as follows: 76-383.***
38 ***A medical student loan agreement entered into by the university of***
39 ***Kansas school of medicine and an undergraduate student enrolled in or***
40 ***admitted to the university of Kansas school of medicine in a course of***
41 ***instruction leading to the degree of doctor of medicine for the purpose of***
42 ***receiving a medical student loan under this act shall require that the***
43 ***person receiving the loan:***

1 ***(a) Complete the required course of instruction and receive the***
2 ***degree of doctor of medicine and apply for, enter and complete an***
3 ***approved postgraduate residency training program;***

4 ***(b) apply for and obtain a license to practice medicine and surgery***
5 ***in Kansas;***

6 ***(c) except as otherwise provided in K.S.A. 76-384, and amendments***
7 ***thereto, engage in the full-time practice of medicine and surgery for a***
8 ***period of 12 months within a service commitment area,*** ~~except as~~
9 ~~otherwise provided in K.S.A. 76-384(c), and amendments thereto, for~~
10 ~~service as a full-time faculty member of the university of Kansas school of~~
11 ~~medicine in family medicine, family practice, general psychiatry or child~~
12 ~~psychiatry;~~

13 ***(d) commence such full-time practice of medicine and surgery***
14 ***within nine months after completion of an approved postgraduate***
15 ***residency training program and licensure in a service commitment area***
16 ***and continue such full-time practice in such service commitment area***
17 ***for a consecutive period of months equal to the total number of months***
18 ***required under the agreement;***

19 ***(e) agree that the service commitment for each agreement entered***
20 ***into under this act is in addition to the service commitment contained in***
21 ***any other agreement*** ~~which~~ ***that has been or may be entered into under***
22 ***this act for the purpose of obtaining a medical student loan or under***
23 ***other agreements for the purpose of obtaining scholarship aid;***

24 ***(f) maintain records and make reports to the university of Kansas***
25 ***school of medicine to document the satisfaction of the obligation under***
26 ***such agreement to engage in the full-time practice of medicine and***
27 ***surgery within a service commitment area and to continue such full-time***
28 ***practice in such service commitment area for a consecutive period of***
29 ***months equal to the total number of months required under the***
30 ***agreement; and***

31 ***(g) upon failure to satisfy an agreement to engage in the full-time***
32 ***practice of medicine and surgery within a service commitment area for***
33 ***the required period of time under any such agreement, the person***
34 ***receiving a medical student loan under this act shall repay amounts to***
35 ***the university of Kansas school of medicine as provided in K.S.A. 76-***
36 ***385, and amendments thereto.***

37 ***Sec. 6. K.S.A. 76-385 is hereby amended to read as follows: 76-385.***

38 ***(a) (1) Except as otherwise provided in paragraphs (2), (3), (4) and (5)***
39 ***through (6) or in K.S.A. 76-386, and amendments thereto, upon the***
40 ***failure of any person to satisfy the obligation to engage in the full-time***
41 ***practice of medicine and surgery within a service commitment area of***
42 ***this state for the required period of time under any medical student loan***
43 ***agreement entered into under this act, such person shall repay to the***

1 *university of Kansas school of medicine in accordance with subsection*
2 *(b) an amount equal to the total of: (A) The amount of money received*
3 *by such person pursuant to such agreement, or the amount of money*
4 *determined under rules and regulations of the university of Kansas; plus*
5 *(B) annual interest at a rate of 15% from the date such money was*
6 *received.*

7 *(2) Any person who fails to apply for and enter an approved*
8 *postgraduate residency training program shall be required to repay all*
9 *moneys received pursuant to an agreement entered into for any such*
10 *medical student loan, plus accumulated interest at an annual rate of*
11 *15% and shall commence such repayment in accordance with subsection*
12 *(b) within 90 days of graduation from the school of medicine or upon*
13 *termination or completion of a residency training program—~~which~~ that*
14 *does not comply with the provisions of this act, whichever is later.*

15 *(3) If at any time a person is failing to satisfy an obligation to*
16 *engage in the full-time practice of medicine and surgery in Kansas for*
17 *the required period of time under an agreement entered into under this*
18 *act because such person is engaged in the full-time practice of medicine*
19 *and surgery in a state other than Kansas, or within Kansas in an area*
20 *that is not a service commitment area or in the practice of medicine and*
21 *surgery which does not otherwise comply with the agreement entered*
22 *into under this act, and if such person is subject to or currently making*
23 *repayments under this section and if such person subsequently*
24 *commences the practice of medicine and surgery in this state which is in*
25 *a service commitment area or which otherwise complies with the*
26 *agreement entered into under this act, the balance of the repayment*
27 *amount, including interest thereon, from the time of such*
28 *commencement of practice until the obligation of such person is*
29 *satisfied, or until the time such person again becomes subject to*
30 *repayments, shall be waived. All repayment amounts due prior to such*
31 *commencement of practice, including interest thereon, shall continue to*
32 *be payable as provided in this section. If subsequent to such*
33 *commencement of practice, the person fails to satisfy such obligation,*
34 *the person again shall be subject to repayments, including interest*
35 *thereon, as otherwise provided in this section.*

36 *(4) If, during the time a person is satisfying the service requirement*
37 *of an agreement entered into under this act, such person desires to*
38 *engage in less than the full-time practice of medicine and surgery within*
39 *a service commitment area of the state and remain in satisfaction of*
40 *such service requirement, such person may make application to the*
41 *chancellor of the university of Kansas or the designee of the chancellor*
42 *for permission to engage in less than such full-time practice of medicine*
43 *and surgery. Upon a finding of exceptional circumstances made by the*

1 *chancellor of the university of Kansas, or the designee of the chancellor,*
2 *such person may be authorized to engage in less than the full-time*
3 *practice of medicine and surgery within a service commitment area of*
4 *the state for the remaining required period of time under such*
5 *agreement and for an additional period of time which shall be equal to*
6 *the length of the originally required period of time multiplied by the*
7 *decimal fraction which is equal to the reduction of the full-time practice*
8 *of medicine and surgery to be authorized hereunder, multiplied by two.*
9 *In any such determination of the period required to be engaged in the*
10 *less than full-time practice of medicine and surgery, the decimal fraction*
11 *utilized shall not exceed 0.5 and any person granted permission to*
12 *engage in less than the full-time practice of medicine and surgery in*
13 *accordance with the provisions of this paragraph shall be required to*
14 *engage in at least the half-time practice of medicine and surgery.*

15 (5) *Any person who enters but fails to complete an approved*
16 *postgraduate residency training program, or who enters and completes*
17 *an approved postgraduate residency training program but fails to satisfy*
18 *the obligation to engage in the full-time practice of medicine and*
19 *surgery within a service commitment area of this state for the required*
20 *period of time shall be required to repay all money received pursuant to*
21 *an agreement entered into under this act^a for any such medical student*
22 *loan, plus accumulated interest at an annual rate of 15%, and shall*
23 *commence such repayment in accordance with subsection (b) within 90*
24 *days of failure to complete an approved postgraduate residency training*
25 *program or 90 days of failure to commence qualifying practice,*
26 *whichever occurs first. Any person who fails to satisfy the obligation to*
27 *engage in the full-time practice of medicine and surgery in accordance*
28 *with this section due to active military service of such person or such*
29 *person's spouse shall not be required to pay the 15% annual interest rate*
30 *on any moneys received under such agreement.*

31 (6) *For any person who entered and completed an approved*
32 *postgraduate residency training program in obstetrics and gynecology, if*
33 *during the time such person is satisfying the service requirement of an*
34 *agreement entered into pursuant to this act, such person is employed by,*
35 *provides services at or establishes any clinic or facility as such terms are*
36 *defined in K.S.A. 65-4a01, and amendments thereto, or performs or*
37 *induces, or attempts to perform or induce, an abortion, except in the case*
38 *of a medical emergency as defined in K.S.A. 65-6701, and amendments*
39 *thereto, or in the case of a pregnancy resulting from rape or incest, such*
40 *person shall be deemed to have failed to complete such person's service*
41 *requirement and shall be required to repay all money received pursuant to*
42 *an agreement entered into under this act for any such medical student*
43 *loan, plus accumulated interest at an annual rate of 15%, and shall*

1 *commence such repayment in accordance with subsection (b).*

2 *(b) For any repayment requirement under this section, the person*
3 *shall repay an amount totaling the entire amount to be repaid under all*
4 *such agreements for which such obligations are not satisfied, including*
5 *all amounts of interest at the rate prescribed. The repayment shall be*
6 *made in not more than 10 equal annual installment payments.*

7 *(c) All installment payments under this section shall commence six*
8 *months after the date of the action or circumstance that causes the*
9 *failure of the person to satisfy the obligations of such agreements, as*
10 *determined by the university of Kansas school of medicine based upon*
11 *the circumstances of each individual case. In all cases, if an installment*
12 *payment becomes 91 days overdue, the entire amount outstanding shall*
13 *become immediately due and payable, including all amounts of interest*
14 *at the rate prescribed.*

15 *(d) The total repayment obligation imposed under all agreements*
16 *entered into under this act may be satisfied by the person who entered*
17 *into the agreements at any time prior to graduation from the university*
18 *of Kansas school of medicine by making a single lump-sum payment*
19 *equal to the total of: (1) The entire amount to be repaid under all such*
20 *agreements upon failure to satisfy the obligations under such*
21 *agreements to practice in Kansas; plus (2) all amounts of interest*
22 *thereon at the rate prescribed to the date of payment.*

23 *(e) The university of Kansas school of medicine shall remit all*
24 *moneys received under this section to the state treasurer in accordance*
25 *with the provisions of K.S.A. 75-4215, and amendments thereto. Upon*
26 *receipt of each such remittance, the state treasurer shall deposit the*
27 *entire amount in the state treasury to the credit of the medical loan*
28 *repayment fund.*

29 *(f) There is hereby created in the state treasury the medical loan*
30 *repayment fund. All expenditures from the medical loan repayment fund*
31 *shall be for medical student loans under the medical student loan act*
32 *and for the expenses of administration of the medical student loan act*
33 *and shall be made in accordance with appropriation acts upon warrants*
34 *of the director of accounts and reports issued pursuant to vouchers*
35 *approved by the chancellor of the university of Kansas or by a person*
36 *designated by the chancellor, except that expenditures shall not be made*
37 *from the medical loan repayment fund for medical student loans for*
38 *medical students who intend to enter and complete an approved*
39 *postgraduate residency training program in obstetrics and gynecology,*
40 *general psychiatry or child psychiatry. On the effective date of this act,*
41 *the director of accounts and reports shall transfer all moneys in the*
42 *medical scholarship and loan repayment fund to the medical loan*
43 *repayment fund. On the effective date of this act, all liabilities of the*

1 *medical scholarship and loan repayment fund are hereby imposed on the*
2 *medical loan repayment fund and the medical scholarship and loan*
3 *repayment fund is hereby abolished. Whenever the medical scholarship*
4 *and loan repayment fund, or words of like effect, is referred to or*
5 *designated by any statute, contract or other document, such reference or*
6 *designation shall be deemed to apply to the medical loan repayment*
7 *fund.*

8 (g) *There is hereby established in the state treasury the psychiatry*
9 *medical loan repayment fund. All moneys credited to the psychiatry*
10 *medical loan repayment fund shall be expended only for medical student*
11 *loans for general psychiatry or child psychiatry students under the*
12 *medical student loan act and for the expenses of administration of the*
13 *medical student loan act associated with such students. All expenditures*
14 *from the psychiatry medical loan repayment fund shall be made in*
15 *accordance with appropriation acts upon warrants of the director of*
16 *accounts and reports issued pursuant to vouchers approved by the*
17 *chancellor of the university of Kansas or the chancellor's designee.*

18 (h) *There is hereby established in the state treasury the OBGYN*
19 *medical loan repayment fund. All moneys credited to the OBGYN medical*
20 *loan repayment fund shall be expended only for medical student loans for*
21 *medical students who intend to enter and complete an approved*
22 *postgraduate residency training program in obstetrics and gynecology*
23 *under the medical student loan act and for the expenses of administration*
24 *of the medical student loan act associated with such students. All*
25 *expenditures from the OBGYN medical loan repayment fund shall be made*
26 *in accordance with appropriation acts upon warrants of the director of*
27 *accounts and reports issued pursuant to vouchers approved by the*
28 *chancellor of the university of Kansas or the chancellor's designee.*

29 ~~(h)~~(i) *Notwithstanding any other provision of law to the contrary, no*
30 *moneys shall be transferred from the comprehensive grant program*
31 *account of the state board of regents to the medical loan repayment*
32 *fund, the OBGYN medical loan repayment fund or the psychiatry medical*
33 *loan repayment fund or expended for any purposes related thereto.*

34 *Sec. 7. K.S.A. 76-386 is hereby amended to read as follows: 76-386.*

35 (a) *An obligation to engage in the practice of medicine and surgery in*
36 *accordance with an agreement under this act shall be postponed during*
37 *any period of time for: (1) ~~During any~~ Required period of active military*
38 *service of the person obligated or such person's spouse; (2) ~~during any~~*
39 *period of service as a part of volunteers in service to America (VISTA);*
40 *(3) ~~during any period of service in the peace corps;~~ (4) ~~during any period~~*
41 *of service commitment to the United States public health service; (5)*
42 *~~during any period of religious missionary work conducted by an~~*
43 *organization exempt from tax under subsection (c) of section 501 of the*

1 *federal internal revenue code of 1986; or (6) during any period of*
 2 *temporary medical disability during which the person obligated is*
 3 *unable because of such medical disability to practice medicine and*
 4 *surgery; or (7) not more than one year during which the person*
 5 *participates in a healthcare-related fellowship program.*

6 *(b) Except for clause (6) of this subsection (a)(6), an obligation to*
 7 *engage in the practice of medicine and surgery in accordance with an*
 8 *agreement under this act shall not be postponed more than five years*
 9 *from the time the practice of medicine and surgery was to have been*
 10 *commenced under any such agreement. An obligation to engage in the*
 11 *practice of medicine and surgery in accordance with an agreement*
 12 *under this act shall be postponed under clause (6) of this subsection (a)*
 13 *(6) during the period of time the medical disability exists.*

14 ~~(b)(c)~~ *An obligation to engage in the practice of medicine and*
 15 *surgery in accordance with an agreement under this act shall be*
 16 *satisfied: (1) If the obligation to engage in the practice of medicine and*
 17 *surgery in accordance with an agreement under this act has been*
 18 *completed; (2) if the person obligated dies; or (3) if, because of*
 19 *permanent physical disability, the person obligated is unable to practice*
 20 *medicine and surgery.*

21 *Sec. 8. K.S.A. 76-387 is hereby amended to read as follows: 76-387.*

22 *(a) (1) There is hereby established the Kansas medical residency*
 23 *bridging program at the university of Kansas school of medicine, which*
 24 *shall be developed and implemented in order to provide encouragement,*
 25 *opportunities and incentives for persons in primary care or mental health*
 26 *care to:*

27 *(A) Enter and complete medical residency training programs in*
 28 *general pediatrics, general internal medicine, family medicine, family*
 29 *practice, obstetrics and gynecology, general psychiatry or child*
 30 *psychiatry that are operated by or affiliated with the university of Kansas*
 31 *school of medicine or other such primary care or mental health care*
 32 *medical residency training program that is operated in Kansas and*
 33 *approved by the state board of healing arts; and a person under*
 34 *subsection (i) to*

35 *(B) locate their medical practice in rural Kansas communities upon*
 36 *completion of such residency training.*

37 *(2) The Kansas medical residency bridging program shall be*
 38 *administered by the institute for rural health care of the university of*
 39 *Kansas school of medicine.*

40 *(b) Subject to the provisions of appropriation acts, the university of*
 41 *Kansas school of medicine may enter into residency bridging loan*
 42 *agreements, in accordance with the provisions of this section: (A) with*
 43 *any person who has completed the first year of a primary care or mental*

1 ~~health care medical residency training program in general pediatrics,~~
2 ~~general internal medicine, family medicine, family practice, obstetrics~~
3 ~~and gynecology; general psychiatry or child psychiatry that is operated~~
4 ~~by or affiliated with the university of Kansas school of medicine or other~~
5 ~~such primary care or mental health care medical residency training~~
6 ~~program that is operated in Kansas and approved by the state board of~~
7 ~~healing arts; and (B) with a person under subsection (i).~~

8 **(c) Subject to the provisions of appropriation acts, each person**
9 **entering into a residency bridging loan agreement under this section**
10 **shall receive a payment of \$5,000 each year of ~~primary care or mental~~**
11 **~~health care medical residency training, or any part of a year of such~~**
12 **training, after the date that the residency bridging loan agreement is**
13 **entered into by the resident and the university of Kansas school of**
14 **medicine and, upon completion of the ~~primary care or mental health care~~**
15 **medical residency training program, a payment of \$6,000.**

16 **(d) Each residency bridging loan agreement shall require that the**
17 **person receiving the loan:**

18 **(1) Complete the ~~primary care or mental health care medical~~**
19 **residency training program;**

20 **(2) engage in the full-time practice of medicine and surgery in any**
21 **county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or**
22 **Wyandotte for three years under a practice commitment agreement;**

23 **(3) commence such full-time practice of medicine and surgery**
24 **within 90 days after completing the ~~primary care or mental health care~~**
25 **medical residency training program; and**

26 **(4) upon failure to satisfy the obligation to engage in the full-time**
27 **practice of medicine and surgery in accordance with the provisions of**
28 **the residency bridging loan agreement and this section, the person**
29 **receiving the loan under this section shall repay to the university of**
30 **Kansas school of medicine, within 90 days of such failure, the amount**
31 **equal to the amount of ~~money~~ moneys received by such person from the**
32 **university of Kansas school of medicine, less credits earned, under such**
33 **agreement plus interest at the annual rate of 15% from the date such**
34 **~~money was~~ moneys were received. Any person who fails to satisfy the**
35 **obligation to engage in the full-time practice of medicine and surgery in**
36 **accordance with this section due to active military service of such person**
37 **or such person's spouse shall not be required to pay the 15% annual**
38 **interest rate on any moneys received under such agreement.**

39 **(e) An obligation to engage in the practice of medicine and surgery**
40 **in accordance with the provisions of a residency bridging loan**
41 **agreement and this section shall be postponed during: (1) Any period of**
42 **temporary medical disability during which the person obligated is**
43 **unable to practice medicine and surgery because of such medical**

1 **disability; (2) any period of not more than one year during which the**
2 **person participates in a healthcare-related fellowship program; (3) any**
3 **required period of active military service of the person obligated or such**
4 **person's spouse; or ~~(2)~~ (4) any other period of postponement agreed to or**
5 **determined in accordance with criteria agreed to in the practice**
6 **commitment agreement.**

7 **(f) Except as otherwise provided in subsection (g), an obligation to**
8 **engage in the practice of medicine and surgery in accordance with the**
9 **provisions of a residency bridging loan agreement and this section shall**
10 **be satisfied: (1) If the obligation to engage in the practice of medicine**
11 **and surgery in accordance with such agreement has been completed; (2)**
12 **if the person obligated dies; or (3) if, because of permanent physical**
13 **disability, the person obligated is unable to practice medicine and**
14 **surgery.**

15 **(g) For any person who completed a medical residency training**
16 **program in obstetrics and gynecology pursuant to this section, such**
17 **person's obligation to engage in the practice of medicine and surgery in**
18 **accordance with the provisions of a residency bridging loan agreement**
19 **and this section shall be deemed to not be satisfied if such person is**
20 **employed by, provides services at or establishes any clinic or facility as**
21 **such terms are defined in K.S.A. 65-4a01, and amendments thereto, or**
22 **performs or induces, or attempts to perform or induce, an abortion, except**
23 **in the case of a medical emergency as defined in K.S.A. 65-6701, and**
24 **amendments thereto, or in the case of a pregnancy resulting from rape or**
25 **incest, at any time in which such person is obligated to satisfy the**
26 **provisions of such person's loan agreement made pursuant to this section.**

27 **(h) The university of Kansas school of medicine may adopt**
28 **additional provisions, requirements or conditions for participation in the**
29 **Kansas medical residency bridging program as are practicable and**
30 **appropriate to accomplish the purposes of the program or as may be**
31 **required for the implementation or administration of the program and,**
32 **in any case, as are not inconsistent with the provisions of this section or**
33 **the provisions of appropriation acts.**

34 **(h)(i) As used in this section, "practice commitment agreement"**
35 **means an agreement to commence the full-time practice of medicine and**
36 **surgery in a city located in any county in Kansas other than Douglas,**
37 **Johnson, Sedgwick, Shawnee or Wyandotte county, that:**

38 **(1) Was entered into: ~~(A)~~ by a person in a ~~primary care or mental~~**
39 **health-care medical residency training program in general pediatrics,**
40 **general internal medicine, family medicine, family practice, obstetrics**
41 **and gynecology, general psychiatry or child psychiatry, that is operated**
42 **by or affiliated with the university of Kansas school of medicine or other**
43 **such ~~primary care or mental health-care~~ medical residency training**

1 *program that is operated in Kansas and approved by the state board of*
2 *healing arts; or (B) by a person under subsection (i), with the city where*
3 *such practice is to commence or another contracting entity other than*
4 *the university of Kansas school of medicine that is representative of the*
5 *interests of such city; and*

6 *(2) provides benefits to such person that have an aggregate*
7 *monetary value equal to or greater than the aggregate amount of*
8 *payments to such person from the university of Kansas school of*
9 *medicine under a residency bridging loan agreement under this section.*

10 ~~(i) A person who graduated from the university of Kansas school of~~
11 ~~medicine prior to July 1, 1992, who has completed the first year of a~~
12 ~~primary care residency training program in family practice which is~~
13 ~~operated outside the state of Kansas and who has entered into a practice~~
14 ~~commitment agreement with the north central Kansas health care~~
15 ~~foundation is eligible to enter into a residency bridging loan agreement~~
16 ~~under this section.~~

17 *(j) Notwithstanding any other provision of law to the contrary, no*
18 *moneys appropriated for the Kansas medical residency bridging*
19 *program at the university of Kansas school of medicine, except moneys*
20 *appropriated to the OBGYN medical residency bridging fund or the rural*
21 *health bridging psychiatry fund, shall be expended for residency*
22 *bridging loan agreements for medical residents training in obstetrics and*
23 *gynecology, general psychiatry or child psychiatry.*

24 *(k) Subject to appropriations, the university of Kansas school of*
25 *medicine shall enter into residency bridging loan agreements with three*
26 *medical residents training in general psychiatry or child psychiatry.*

27 *(l) There is hereby established in the state treasury the rural health*
28 *bridging psychiatry fund. All moneys credited to the rural health*
29 *bridging psychiatry fund shall be used only for purposes related to*
30 *residency bridging loan agreements for medical residents training in*
31 *general psychiatry or child psychiatry pursuant to K.S.A. 76-387, and*
32 ~~amendments thereto~~ *this section. All expenditures from the rural health*
33 *bridging psychiatry fund shall be made in accordance with*
34 *appropriation acts upon warrants of the director of accounts and reports*
35 *issued pursuant to vouchers approved by the chancellor of the university*
36 *of Kansas or the chancellor's designee.*

37 *(m) There is hereby established in the state treasury the OBGYN*
38 *medical residency bridging fund. All moneys credited to the OBGYN*
39 *medical residency bridging fund shall be used only for purposes related to*
40 *residency bridging loan agreements for medical residents training in*
41 *obstetrics and gynecology pursuant to this section. All expenditures from*
42 *the OBGYN medical residency bridging fund shall be made in accordance*
43 *with appropriation acts upon warrants of the director of accounts and*

1 *reports issued pursuant to vouchers approved by the chancellor of the*
2 *university of Kansas or the chancellor's designee.*

3 *(n) Notwithstanding any other provision of law to the contrary, no*
4 *moneys shall be transferred from the comprehensive grant program*
5 *account of the state board of regents to the rural health bridging*
6 *psychiatry fund or the OBGYN medical residency bridging fund or*
7 *expended for any purposes related to the Kansas medical residency*
8 *bridging program.*

9 Sec. ~~2~~. 9. K.S.A. 74-3265, 74-3268, 76-381, 76-382~~is~~, 76-383, 76-
10 385, 76-386, 76-386a and 76-387 are hereby repealed.

11 Sec. ~~3~~. 10. This act shall take effect and be in force from and after its
12 publication in the statute book.