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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **627**

02/05/2015 Authored by Franson, Lillie, Schomacker, Newton, Hackbarth and others

The bill was read for the first time and referred to the Committee on Aging and Long-Term Care Policy

02/16/2015 Adoption of Report: Amended and re-referred to the Committee on Greater Minnesota Economic and Workforce Development Policy

1.1 A bill for an act
1.2 relating to long-term care; modifying nursing facility employee scholarship costs;
1.3 modifying the list of health professionals eligible for the health professional
1.4 education loan forgiveness program; appropriating money; amending Minnesota
1.5 Statutes 2014, sections 144.1501, subdivisions 1, 2, 3; 256B.431, subdivision 36.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2014, section 144.1501, subdivision 1, is amended to read:

1.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions
1.9 apply.

1.10 (b) "Dental therapist" means an individual who is licensed as a dental therapist
1.11 under section 150A.06.

1.12 ~~(b)~~ (c) "Dentist" means an individual who is licensed to practice dentistry.

1.13 ~~(c)~~ (d) "Designated rural area" means a city or township that is:

1.14 (1) outside the seven-county metropolitan area as defined in section 473.121,
1.15 subdivision 2; and

1.16 (2) has a population under 15,000.

1.17 ~~(d)~~ (e) "Emergency circumstances" means those conditions that make it impossible
1.18 for the participant to fulfill the service commitment, including death, total and permanent
1.19 disability, or temporary disability lasting more than two years.

1.20 ~~(e)~~ (f) "Medical resident" means an individual participating in a medical residency in
1.21 family practice, internal medicine, obstetrics and gynecology, pediatrics, or psychiatry.

1.22 ~~(f)~~ (g) "Midlevel practitioner" means a nurse practitioner, nurse-midwife, nurse
1.23 anesthetist, advanced clinical nurse specialist, or physician assistant.

2.1 ~~(g)~~ (h) "Nurse" means an individual who has completed training and received
2.2 all licensing or certification necessary to perform duties as a licensed practical nurse
2.3 or registered nurse.

2.4 ~~(h)~~ (i) "Nurse-midwife" means a registered nurse who has graduated from a program
2.5 of study designed to prepare registered nurses for advanced practice as nurse-midwives.

2.6 ~~(i)~~ (j) "Nurse practitioner" means a registered nurse who has graduated from a
2.7 program of study designed to prepare registered nurses for advanced practice as nurse
2.8 practitioners.

2.9 ~~(j)~~ (k) "Pharmacist" means an individual with a valid license issued under chapter 151.

2.10 ~~(k)~~ (l) "Physician" means an individual who is licensed to practice medicine in
2.11 the areas of family practice, internal medicine, obstetrics and gynecology, pediatrics,
2.12 or psychiatry.

2.13 ~~(l)~~ (m) "Physician assistant" means a person licensed under chapter 147A.

2.14 ~~(m)~~ (n) "Qualified educational loan" means a government, commercial, or foundation
2.15 loan for actual costs paid for tuition, reasonable education expenses, and reasonable living
2.16 expenses related to the graduate or undergraduate education of a health care professional.

2.17 ~~(n)~~ (o) "Underserved urban community" means a Minnesota urban area or population
2.18 included in the list of designated primary medical care health professional shortage areas
2.19 (HPSAs), medically underserved areas (MUAs), or medically underserved populations
2.20 (MUPs) maintained and updated by the United States Department of Health and Human
2.21 Services.

2.22 Sec. 2. Minnesota Statutes 2014, section 144.1501, subdivision 2, is amended to read:

2.23 Subd. 2. **Creation of account.** (a) A health professional education loan forgiveness
2.24 program account is established. The commissioner of health shall use money from the
2.25 account to establish a loan forgiveness program:

2.26 (1) for medical residents agreeing to practice in designated rural areas or underserved
2.27 urban communities or specializing in the area of pediatric psychiatry;

2.28 (2) for midlevel practitioners agreeing to practice in designated rural areas or to
2.29 teach at least 12 credit hours, or 720 hours per year in the nursing field in a postsecondary
2.30 program at the undergraduate level or the equivalent at the graduate level;

2.31 (3) for nurses who agree to practice in a Minnesota nursing home or intermediate
2.32 care facility for persons with developmental disability or to teach at least 12 credit hours,
2.33 or 720 hours per year in the nursing field in a postsecondary program at the undergraduate
2.34 level or the equivalent at the graduate level;

3.1 (4) for other health care technicians agreeing to teach at least 12 credit hours, or 720
3.2 hours per year in their designated field in a postsecondary program at the undergraduate
3.3 level or the equivalent at the graduate level. The commissioner, in consultation with
3.4 the Healthcare Education-Industry Partnership, shall determine the health care fields
3.5 where the need is the greatest, including, but not limited to, respiratory therapy, clinical
3.6 laboratory technology, radiologic technology, and surgical technology;

3.7 (5) for pharmacists who agree to practice in designated rural areas; ~~and~~

3.8 (6) for dentists agreeing to deliver at least 25 percent of the dentist's yearly patient
3.9 encounters to state public program enrollees or patients receiving sliding fee schedule
3.10 discounts through a formal sliding fee schedule meeting the standards established by
3.11 the United States Department of Health and Human Services under Code of Federal
3.12 Regulations, title 42, section 51, chapter 303-; and

3.13 (7) for the following health care professionals agreeing to practice in a Minnesota
3.14 nursing home or intermediate care facility for persons with a developmental disability:

3.15 (i) dental therapists; or

3.16 (ii) other health care technicians working in health care fields where the need is the
3.17 greatest, as determined by the commissioner, including, but not limited to, respiratory
3.18 therapy.

3.19 (b) Appropriations made to the account do not cancel and are available until
3.20 expended, except that at the end of each biennium, any remaining balance in the account
3.21 that is not committed by contract and not needed to fulfill existing commitments shall
3.22 cancel to the fund.

3.23 Sec. 3. Minnesota Statutes 2014, section 144.1501, subdivision 3, is amended to read:

3.24 Subd. 3. **Eligibility.** (a) To be eligible to participate in the loan forgiveness program,
3.25 an individual must:

3.26 (1) be a medical or dental resident, a licensed pharmacist or be enrolled in a dentist,
3.27 midlevel practitioner, registered nurse, or a licensed practical nurse training program; and

3.28 (2) submit an application to the commissioner of health. If fewer applications are
3.29 submitted by dental students or residents than there are dentist participant slots available,
3.30 the commissioner may consider applications submitted by dental program graduates
3.31 who are licensed dentists.

3.32 (b) An applicant selected to participate must sign a contract to agree to serve a
3.33 minimum three-year full-time service obligation according to subdivision 2, which shall
3.34 begin no later than March 31 following completion of required training.

4.1 (c) To be eligible for the loan forgiveness program, an individual must not be
4.2 a recipient of the nursing facility employee scholarship program defined in section
4.3 256B.431, subdivision 36.

4.4 Sec. 4. Minnesota Statutes 2014, section 256B.431, subdivision 36, is amended to read:

4.5 Subd. 36. **Employee scholarship costs and training in English as a second**
4.6 **language.** (a) For the period between ~~July 1, 2001, and June 30, 2003~~ October 1,
4.7 2015, and September 30, 2017, the commissioner shall provide to each nursing facility
4.8 reimbursed under this section, section 256B.434, or any other section, a scholarship per
4.9 diem of 25 cents to the total operating payment rate to be used:

4.10 (1) for employee scholarships that satisfy the following requirements:

4.11 (i) scholarships are available to all employees who work an average of at least ~~20~~
4.12 ten hours per week at the facility except the administrator, ~~department supervisors, and~~
4.13 registered nurses and to reimburse student loan expenses for newly hired and recently
4.14 graduated registered nurses and licensed practical nurses, and training expenses for
4.15 newly hired and recently graduated nursing assistants as defined in section 144A.61,
4.16 subdivision 2; and

4.17 (ii) the course of study is expected to lead to career advancement with the facility or
4.18 in long-term care, including medical care interpreter services and social work; and

4.19 (2) to provide job-related training in English as a second language.

4.20 (b) A facility receiving a rate adjustment under this subdivision may submit to the
4.21 commissioner on a schedule determined by the commissioner and on a form supplied
4.22 by the commissioner a calculation of the scholarship per diem, including: the amount
4.23 received from this rate adjustment; the amount used for training in English as a second
4.24 language; the number of persons receiving the training; the name of the person or entity
4.25 providing the training; and for each scholarship recipient, the name of the recipient,
4.26 the amount awarded, the educational institution attended, the nature of the educational
4.27 program, the program completion date, and a determination of the per diem amount of
4.28 these costs based on actual resident days.

4.29 (c) On ~~July 1, 2003~~ October 1, 2017, the commissioner shall remove the 25 cent
4.30 scholarship per diem from the total operating payment rate of each facility.

4.31 (d) ~~For rate years beginning after June 30, 2003, the commissioner shall provide~~
4.32 ~~to each facility the scholarship per diem determined in paragraph (b).~~ In calculating the
4.33 per diem under paragraph (b), the commissioner shall allow ~~only~~ costs related to tuition
4.34 and, direct educational expenses, and child care costs and transportation expenses related
4.35 to direct educational expenses.

5.1 (e) The rate increase under this subdivision is an optional rate add-on that the facility
5.2 must request from the commissioner in a manner prescribed by the commissioner. The
5.3 rate increase must be used for scholarships as specified in this subdivision.

5.4 (f) Nursing facilities that close beds during a rate year can request to have their
5.5 scholarship adjustment under paragraph (b) recalculated by the commissioner for the
5.6 remainder of the rate year to reflect the reduction in resident days compared to the cost
5.7 report year.

5.8 **Sec. 5. DIRECTION TO COMMISSIONER; LONG-TERM CARE**
5.9 **WORKFORCE DEVELOPMENT.**

5.10 The commissioner of employment and economic development, in consultation
5.11 with the commissioner of health, shall review existing workforce development programs
5.12 in order to further the advancement of long-term care careers in rural Minnesota. The
5.13 commissioner shall report recommendations regarding training, retaining, and connecting
5.14 employees to long-term care facilities in rural Minnesota to the chairs and ranking
5.15 minority members of the legislative committees with jurisdiction over long-term care and
5.16 workforce development by February 1, 2016.

5.17 **Sec. 6. APPROPRIATIONS.**

5.18 (a) \$..... is appropriated in fiscal year 2016 and \$..... is appropriated in fiscal
5.19 year 2017 from the general fund to the commissioner of health for the purposes of the
5.20 health professional education loan forgiveness program under Minnesota Statutes, section
5.21 144.1501.

5.22 (b) \$..... is appropriated in fiscal year 2016 and \$..... is appropriated in fiscal year
5.23 2017 from the general fund to the commissioner of human services for the purposes of
5.24 nursing facility employee scholarship costs under Minnesota Statutes, section 256B.431,
5.25 subdivision 36.