

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 403 Session of 2013

INTRODUCED BY HUTCHINSON, ROBBINS, KASUNIC, BREWSTER, FONTANA, YUDICHAK, ERICKSON, ALLOWAY, MENSCH, BAKER, VULAKOVICH, RAFFERTY, WHITE, VOGEL, GREENLEAF, SOLOBAY, WAUGH, COSTA, BROWNE, TARTAGLIONE, SMITH AND BOSCOLA, FEBRUARY 1, 2013

AS REPORTED FROM COMMITTEE ON VETERANS' AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 30, 2014

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, providing for retention incentives for
3 ~~medical resident physicians~~ MEDICAL OFFICERS OR HEALTH OFFICERS of the Pennsylvania National Guard; conferring
4 OFFICERS of the Pennsylvania National Guard; conferring
5 powers and duties on the Adjutant General and Department of
6 Military and Veterans Affairs; and making editorial changes.

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7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The heading of Chapter 32 of Title 51 of the
10 Pennsylvania Consolidated Statutes is amended and the chapter is
11 amended by adding a subchapter heading to read:

CHAPTER 32

[EDUCATIONAL ASSISTANCE PROGRAM]

MILITARY EDUCATIONAL PROGRAMS

SUBCHAPTER A

EDUCATIONAL ASSISTANCE PROGRAM

17 Section 2. The introductory paragraph and definitions of

1 "department" and "program" in section 3201 of Title 51 are
2 amended to read:

3 § 3201. Definitions.

4 The following words and phrases when used in this [chapter]
5 subchapter shall have the meanings given to them in this section
6 unless the context clearly indicates otherwise:

7 * * *

8 ["Department." The Department of Military and Veterans
9 Affairs of the Commonwealth.]

10 * * *

11 "Program." The Educational Assistance Program established in
12 this [chapter] subchapter.

13 * * *

14 Section 3. Sections 3202(a) and (c), 3204(a), 3205(a), (b),
15 (b.1) and (c), 3206(a)(1) and (b)(1) ~~and~~, 3207(a) AND 3209 of <--
16 Title 51 are amended to read:

17 § 3202. Eligibility.

18 (a) General rule.--A Pennsylvania National Guard member is
19 eligible to receive a public service educational grant under
20 this [chapter] subchapter if the member meets all of the
21 following eligibility criteria:

22 (1) The member is a qualified resident of this
23 Commonwealth.

24 (2) Except as otherwise provided in subsection (c) and
25 section 3206(b) (relating to limitations), the member is a
26 member in good standing and has been a satisfactory
27 participant in Pennsylvania National Guard activities for a
28 minimum service period established by the Adjutant General.

29 (3) The member has enrolled as a student in an approved
30 program of education at an approved institution of higher

1 learning.

2 * * *

3 (c) Discharge for disability incurred in the line of duty.--
4 A Pennsylvania National Guard member who is discharged for
5 medical disability after September 11, 2001, shall remain
6 eligible to receive a public service educational grant under
7 this [chapter] subchapter if the member meets all of the
8 following eligibility criteria:

9 (1) The medical disability was incurred in the line of
10 duty and was not the result of misconduct.

11 (2) The medical condition giving rise to the discharge
12 did not exist prior to the member entering service in the
13 Pennsylvania National Guard.

14 (3) The medical disability was incurred while performing
15 authorized military duty other than basic training, advanced
16 individual training or other equivalent initial training.

17 (4) The former member received an honorable discharge
18 for medical reasons.

19 (5) The former member had accepted an obligation to
20 serve in the Pennsylvania National Guard for a minimum period
21 of service established by the Adjutant General and was
22 qualified to have fulfilled such service obligation but for
23 the medical disability that resulted in discharge.

24 (6) The former member commences a full-time or part-time
25 course of study within two years of medical discharge or
26 within two years of the effective date of this subsection,
27 such course of study having a completion date of not more
28 than six years following the date of medical discharge for
29 members discharged for medical disability on or after the
30 effective date of this subsection or of not more than six

1 years following the effective date of this subsection for
2 members discharged for a medical disability after September
3 11, 2001, and before the effective date of this subsection.
4 The Adjutant General may for good cause extend these
5 deadlines when the former member's disability is shown to
6 require additional time for the former member to commence or
7 complete a course of study.

8 (7) The former member meets all eligibility criteria
9 specified in subsections (a) and (b) except membership in the
10 Pennsylvania National Guard.

11 § 3204. Grants.

12 (a) General rule.--From the funds appropriated
13 [specifically] for the purposes of this [chapter] subchapter,
14 grants shall be provided to eligible members for the purpose of
15 pursuing approved programs of education.

16 * * *

17 § 3205. Amount of grants.

18 (a) Full-time student assistance grants.--Grants awarded
19 under this [chapter] subchapter to full-time students shall be
20 determined by the agency without regard to financial need and
21 shall not exceed for each academic year the lesser of:

22 (1) the tuition of the approved institution of higher
23 learning for the approved program of education in which the
24 member is enrolled; or

25 (2) the tuition charged to a resident of this
26 Commonwealth at a member institution of the State System of
27 Higher Education for the same academic year.

28 (b) Part-time student assistance grants.--Grants awarded
29 under this [chapter] subchapter to part-time students who do not
30 possess a baccalaureate degree shall be determined by the agency

1 without regard to financial need and shall not exceed for each
2 academic year or period the lesser of:

3 (1) the tuition for the part-time course of study in
4 which the member is enrolled; or

5 (2) two-thirds of the tuition charged to a resident of
6 the Commonwealth at a member institution of the State System
7 of Higher Education for the same academic year or period.

8 (b.1) Part-time student assistance grants for students
9 possessing baccalaureate degrees.--Grants awarded under this
10 [chapter] subchapter to part-time students who possess a
11 baccalaureate degree shall be determined by the agency without
12 regard to financial need and shall not exceed for each academic
13 year or period the lesser of:

14 (1) one-half of the tuition for the part-time course of
15 study in which the member is enrolled; or

16 (2) one-third of the tuition charged to a resident of
17 this Commonwealth at a member institution of the State System
18 of Higher Education for the same academic year or period.

19 (c) Other grants.--The agency shall not reduce the amount of
20 other agency grants or aid for which the eligible member
21 qualifies on account of the member's eligibility for or receipt
22 of grants under this [chapter] subchapter.

23 * * *

24 § 3206. Limitations.

25 (a) Time.--

26 (1) Except as otherwise provided in paragraph (2), no
27 member shall be eligible for full-time or part-time student
28 assistance grants or a combination thereof under this
29 [chapter] subchapter for a total of more than five academic
30 years or their equivalent as determined by the agency.

1 * * *

2 (b) Active duty.--

3 (1) Except as otherwise provided in paragraph (2) or
4 (3), no grant payments shall be made under this [chapter]
5 subchapter except during the eligible member's term of
6 service as a member in good standing of the Pennsylvania
7 National Guard.

8 * * *

9 § 3207. Recoupment of grant payments.

10 (a) General rule.--An eligible member who fails to meet the
11 requirements of this [chapter] subchapter as a result of
12 participation in this program or to meet other requirements
13 established by the Adjutant General or the agency is liable to
14 the Commonwealth for repayment of all grant payments made. The
15 Adjutant General shall notify the agency if an eligible member
16 fails to complete the service obligation, and the promissory
17 note under section 3204(b) (relating to grants) shall be payment
18 in full upon demand by the agency on a schedule as the agency
19 may determine.

20 * * *

21 § 3209. ADMINISTRATION.

<--

22 THE GENERAL ASSEMBLY SHALL APPROPRIATE FUNDS TO PAY FULL-TIME
23 AND PART-TIME STUDENT ASSISTANCE GRANTS UNDER THIS CHAPTER. A
24 PORTION OF THE FUNDS APPROPRIATED MAY BE USED TO PAY THE COSTS
25 OF THE ADMINISTRATION OF THIS CHAPTER. ADMINISTRATIVE COSTS FOR
26 THE [1996-1997] FISCAL YEAR BEGINNING JULY 1, 2014, AND EACH
27 FISCAL YEAR THEREAFTER, SHALL NOT EXCEED [5%] 3.5% OF THE TOTAL
28 AMOUNT OF FUNDS APPROPRIATED. [ADMINISTRATIVE COSTS IN
29 SUBSEQUENT YEARS SHALL NOT EXCEED 4% OF THE TOTAL AMOUNT OF
30 FUNDS APPROPRIATED AND SHALL BE BASED ON THE PROCESSING FEE FOR

1 THE TOTAL NUMBER OF APPLICATIONS.]

2 Section 4. Chapter 32 of Title 51 is amended by adding
3 subchapters to read:

4 SUBCHAPTER B <--

5 MILITARY PHYSICIAN INCENTIVE PROGRAM

6 Sec.

7 3211. Definitions.

8 3212. Establishment of program.

9 3213. Military resident physician stipend.

10 3214. Additional military physician incentives.

11 3215. Promissory note.

12 3216. Recoupment of incentive payments.

13 3217. Adjustment of stipend amounts.

14 § 3211. Definitions.

15 The following words and phrases when used in this subchapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Adjutant General." The Adjutant General of the
19 Commonwealth.

20 "Member in good standing." A member of the Pennsylvania
21 National Guard who meets all medical, training, physical and
22 educational requirements for service and who is a satisfactory
23 participant in all scheduled duties and training periods.

24 "Military physician." A licensed medical doctor or doctor of
25 osteopathy who is an officer who is a member in good standing of
26 the Pennsylvania National Guard assigned to and serving in an
27 authorized Army Medical Corps or Air Force Medical Corps
28 position.

29 "Military resident physician." An officer who is a member in
30 good standing of the Pennsylvania National Guard, is a graduate

1 ~~of an accredited school of medicine and is a holder of a medical~~
2 ~~license and enrolled in an accredited medical residency program.~~

3 ~~"Program." The Military Physician Incentive Program~~
4 ~~established in this subchapter.~~

5 ~~§ 3212. Establishment of program.~~

6 ~~The Military Physician Incentive Program is established~~
7 ~~within the department to provide educational stipends to~~
8 ~~eligible military resident physicians in accordance with the~~
9 ~~provisions of this subchapter.~~

10 ~~§ 3213. Military resident physician stipend.~~

11 ~~(a) General rule. A military resident physician is eligible~~
12 ~~to receive a stipend of \$15,000 per year for up to four years of~~
13 ~~medical residency if the member meets all of the eligibility~~
14 ~~requirements under subsection (b).~~

15 ~~(b) Requirements. In order to qualify for the military~~
16 ~~resident physician stipend, a military resident physician must~~
17 ~~meet all of the following:~~

18 ~~(1) Be assigned to an appropriate medical position in~~
19 ~~the Pennsylvania National Guard.~~

20 ~~(2) Agree to serve as a military physician in the~~
21 ~~Pennsylvania National Guard after completion of residency for~~
22 ~~one year for each annual stipend received. This service~~
23 ~~obligation shall be concurrent with any other military~~
24 ~~service obligation of the applicant.~~

25 ~~(c) Receipt of stipend. Stipends will be paid to an~~
26 ~~eligible military resident physician whose application for the~~
27 ~~stipend is approved at the completion of each year of residency.~~

28 ~~(d) Adjustments. If the Adjutant General determines that~~
29 ~~the amount available for the program in any year will be~~
30 ~~insufficient to provide stipends in the amount described in this~~

1 ~~section to all applicants, he may place a cap on the number of~~
2 ~~military resident physicians eligible to receive stipends or may~~
3 ~~adjust the amount of the annual stipend.~~

4 ~~§ 3214. Additional military physician incentives.~~

5 ~~To the extent that funds are appropriated and available, the~~
6 ~~Adjutant General may, by military regulation, establish~~
7 ~~additional incentives to aid in the recruitment and retention of~~
8 ~~military physicians in the Pennsylvania National Guard, provided~~
9 ~~that payment of such additional incentives shall not result in a~~
10 ~~cap on participation or reduction in the amount of stipends paid~~
11 ~~under section 3213 (relating to military resident physician~~
12 ~~stipend).~~

13 SUBCHAPTER B <--

14 MEDICAL OFFICER OR HEALTH OFFICER INCENTIVE PROGRAM

15 SEC.

16 3211. DEFINITIONS.

17 3212. ESTABLISHMENT OF PROGRAM.

18 3213. PROGRAM STIPEND.

19 3214. ADDITIONAL INCENTIVES.

20 3215. PROMISSORY NOTE.

21 3216. RECOUPMENT OF INCENTIVE PAYMENTS.

22 3217. ADJUSTMENT OF STIPEND AMOUNTS.

23 § 3211. DEFINITIONS.

24 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBCHAPTER
25 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
26 CONTEXT CLEARLY INDICATES OTHERWISE:

27 "BEHAVIORAL HEALTH OFFICER." AN OFFICER WHO:

28 (1) HOLDS A LICENSE TO PRACTICE PSYCHOLOGY UNDER THE ACT
29 OF MARCH 23, 1972 (P.L.136, NO.52), KNOWN AS THE PROFESSIONAL
30 PSYCHOLOGISTS PRACTICE ACT, OR IS A LICENSED CLINICAL SOCIAL

1 WORKER AS DEFINED IN SECTION 3 OF THE ACT OF JULY 9, 1987
2 (P.L.220, NO.39), KNOWN AS THE SOCIAL WORKERS, MARRIAGE AND
3 FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS ACT;

4 (2) HAS MALPRACTICE INSURANCE, IS SELF-INSURED OR
5 MAINTAINS INSURANCE THROUGH A PRIVATE EMPLOYER; AND

6 (3) MEETS ANY APPLICABLE FEDERAL REQUIREMENTS FOR THE
7 PENNSYLVANIA NATIONAL GUARD.

8 "MEDICAL OFFICER OR HEALTH OFFICER." AN OFFICER WHO IS ANY
9 OF THE FOLLOWING:

10 (1) A RESIDENT PHYSICIAN.

11 (2) A PHYSICIAN.

12 (3) A PHYSICIAN ASSISTANT.

13 (4) A BEHAVIORAL HEALTH OFFICER.

14 (5) A PUBLIC HEALTH OFFICER OR ENVIRONMENTAL SCIENCE
15 OFFICER.

16 "MEMBER IN GOOD STANDING." A MEMBER OF THE PENNSYLVANIA
17 NATIONAL GUARD WHO MEETS ALL MEDICAL, TRAINING, PHYSICAL AND
18 EDUCATIONAL REQUIREMENTS FOR SERVICE AND WHO IS A SATISFACTORY
19 PARTICIPANT IN ALL SCHEDULED DUTIES AND TRAINING PERIODS.

20 "PHYSICIAN." AN OFFICER ASSIGNED TO AND SERVING IN AN
21 AUTHORIZED ARMY MEDICAL CORPS OR AIR FORCE MEDICAL CORPS
22 POSITION WHO:

23 (1) HAS COMPLETED A MEDICINE RESIDENCY PROGRAM; AND

24 (2) IS CURRENTLY PRACTICING MEDICINE IN THE UNITED
25 STATES OR ITS TERRITORIES.

26 "PHYSICIAN ASSISTANT." AN OFFICER WHO:

27 (1) IS LICENSED AS A PHYSICIAN ASSISTANT UNDER THE ACT
28 DECEMBER 20, 1985 (P.L.457, NO.112), KNOWN AS THE MEDICAL
29 PRACTICE ACT OF 1985; AND

30 (2) MEETS ANY APPLICABLE FEDERAL REQUIREMENTS FOR THE

1 PENNSYLVANIA NATIONAL GUARD.
2 "PROGRAM." THE MEDICAL OFFICER OR HEALTH OFFICER INCENTIVE
3 PROGRAM.

4 "PUBLIC HEALTH OFFICER" OR "ENVIRONMENTAL SCIENCE OFFICER."
5 AN OFFICER WHO HOLDS A MINIMUM OF A BACHELOR'S DEGREE FROM AN
6 EDUCATIONAL PROGRAM ACCREDITED BY AN AGENCY RECOGNIZED BY THE
7 UNITED STATES SECRETARY OF EDUCATION IN AN ENVIRONMENTAL SCIENCE
8 RELATED FIELD OF STUDY, INCLUDING ANY OF THE FOLLOWING MAJORS OR
9 THEIR EQUIVALENT:

10 (1) ENVIRONMENTAL SCIENCE, ENVIRONMENTAL HEALTH OR
11 ENVIRONMENTAL MANAGEMENT.

12 (2) OCCUPATIONAL HEALTH.

13 (3) INDUSTRIAL HYGIENE.

14 (4) PUBLIC HEALTH.

15 (5) SANITARY SCIENCE OR EPIDEMIOLOGY.

16 (6) BIOLOGY, CHEMISTRY, TOXICOLOGY, GEOLOGY,
17 MICROBIOLOGY, BIOCHEMISTRY OR ZOOLOGY.

18 "RESIDENT PHYSICIAN." AN OFFICER WHO:

19 (1) IS ASSIGNED TO A MEDICAL POSITION IN THE
20 PENNSYLVANIA NATIONAL GUARD;

21 (2) IS A MEDICAL DOCTOR OR DOCTOR OF OSTEOPATHY
22 PARTICIPATING IN GRADUATE TRAINING;

23 (3) HOLDS A LICENSE TO PRACTICE MEDICINE UNDER THE ACT
24 DECEMBER 20, 1985 (P.L.457, NO.112), KNOWN AS THE MEDICAL
25 PRACTICE ACT OF 1985; AND

26 (4) MEETS ANY APPLICABLE FEDERAL REQUIREMENTS FOR THE
27 PENNSYLVANIA NATIONAL GUARD.

28 § 3212. ESTABLISHMENT OF PROGRAM.

29 THE MEDICAL OFFICER OR HEALTH OFFICER INCENTIVE PROGRAM IS
30 ESTABLISHED WITHIN THE DEPARTMENT TO PROVIDE EDUCATIONAL

1 STIPENDS TO ELIGIBLE MEDICAL OFFICERS OR HEALTH OFFICERS IN
2 ACCORDANCE WITH THE PROVISIONS OF THIS SUBCHAPTER.

3 § 3213. PROGRAM STIPEND.

4 (A) GENERAL RULE.--

5 (1) A RESIDENT PHYSICIAN, PHYSICIAN OR PHYSICIAN
6 ASSISTANT WHO MEETS THE REQUIREMENTS UNDER SUBSECTION (B) MAY
7 RECEIVE A STIPEND OF \$1,000 PER MONTH FOR NO MORE THAN 48
8 MONTHS OF MEDICINE RESIDENCY OR THE FIRST 36 ACCESSION MONTHS
9 OF SERVICE TO THE PENNSYLVANIA NATIONAL GUARD.

10 (2) A BEHAVIORAL HEALTH OFFICER, PUBLIC HEALTH OFFICER
11 OR ENVIRONMENTAL SCIENCE OFFICER WHO MEETS THE REQUIREMENTS
12 UNDER SUBSECTION (B) MAY RECEIVE A STIPEND OF \$500 PER MONTH
13 FOR NO MORE THAN THE FIRST 36 ACCESSION MONTHS OF SERVICE TO
14 THE PENNSYLVANIA NATIONAL GUARD.

15 (B) AREAS OF CONCENTRATION.--AN AREA OF CONCENTRATION
16 QUALIFICATION FOR A MEDICAL OR HEALTH OFFICER MUST BE APPROVED
17 BY THE NATIONAL GUARD BUREAU THROUGH A PREDETERMINATION REQUEST
18 COMPLETED BY THE PENNSYLVANIA ARMY NATIONAL GUARD ARMY MEDICAL
19 DEPARTMENT OFFICER STRENGTH MANAGER.

20 (C) REQUIREMENTS.--IN ORDER TO QUALIFY FOR A STIPEND UNDER
21 SUBSECTION (A), A MEDICAL OFFICER OR HEALTH OFFICER SHALL MEET
22 ALL OF THE FOLLOWING:

23 (1) BE A MEMBER IN GOOD STANDING WITH THE PENNSYLVANIA
24 NATIONAL GUARD.

25 (2) BE ASSIGNED TO AN APPROPRIATE MEDICAL OR HEALTH
26 POSITION IN THE PENNSYLVANIA NATIONAL GUARD.

27 (3) AGREE TO SERVE AS A MEDICAL OFFICER OR HEALTH
28 OFFICER IN THE PENNSYLVANIA NATIONAL GUARD AFTER COMPLETION
29 OF RESIDENCY OR INITIAL SERVICE OBLIGATION FOR A PERIOD OF
30 ONE MONTH FOR EACH MONTHLY STIPEND RECEIVED. THIS SERVICE

1 OBLIGATION SHALL BE CONCURRENT WITH ANY OTHER MILITARY
2 SERVICE OBLIGATION OF THE OFFICER.

3 (D) RECEIPT OF STIPEND.--A STIPEND UNDER SUBSECTION (A)
4 SHALL BE PAID TO AN ELIGIBLE MEDICAL OFFICER OR HEALTH OFFICER
5 WHOSE APPLICATION FOR THE STIPEND IS APPROVED AT THE COMPLETION
6 OF EACH MONTH OF RESIDENCY OR SERVICE. A MEDICAL OFFICER OR
7 HEALTH OFFICER MAY NOT RECEIVE A STIPEND UNDER SUBSECTION (A)
8 FOR MORE THAN 48 MONTHS DURING THE PERIOD OF SERVICE IN THE
9 PENNSYLVANIA NATIONAL GUARD.

10 (E) ADJUSTMENTS.--IF THE ADJUTANT GENERAL DETERMINES THAT
11 THE AMOUNT AVAILABLE FOR THE PROGRAM IN ANY YEAR WILL BE
12 INSUFFICIENT TO PROVIDE STIPENDS IN THE AMOUNT DESCRIBED UNDER
13 SUBSECTION (A), THE ADJUTANT GENERAL MAY PLACE A CAP ON THE
14 NUMBER OF MEDICAL OFFICERS OR HEALTH OFFICERS ELIGIBLE TO
15 RECEIVE STIPENDS OR MAY ADJUST THE AMOUNT OF THE ANNUAL STIPEND.

16 (F) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE
17 CONSTRUED TO PROHIBIT A MEDICAL OFFICER OR HEALTH OFFICER WHO IS
18 SERVING IN THE PENNSYLVANIA NATIONAL GUARD BEFORE THE EFFECTIVE
19 DATE OF THIS SECTION AND WHO MEETS THE REQUIREMENTS UNDER
20 SUBSECTION (B) FROM RECEIVING A STIPEND UNDER SUBSECTION (A)
21 DURING THE PERIOD OF MEDICINE RESIDENCY OR SERVICE.

22 § 3214. ADDITIONAL INCENTIVES.

23 TO THE EXTENT THAT FUNDS ARE AVAILABLE, THE ADJUTANT GENERAL
24 MAY, BY REGULATION, ESTABLISH ADDITIONAL INCENTIVES TO AID IN
25 THE RECRUITMENT AND RETENTION OF MEDICAL OFFICERS OR HEALTH
26 OFFICERS IN THE PENNSYLVANIA NATIONAL GUARD, PROVIDED THAT
27 PAYMENT OF SUCH ADDITIONAL INCENTIVES SHALL NOT RESULT IN A CAP
28 ON PARTICIPATION OR REDUCTION IN THE AMOUNT OF STIPENDS PAID
29 UNDER SECTION 3213 (RELATING TO PROGRAM STIPEND).

30 § 3215. Promissory note.

1 Any recipient of a stipend or other incentive payment under
2 this subchapter shall sign, as part of the application for the
3 incentive payment, a promissory note in a form prescribed by the
4 Adjutant General by which the recipient promises to repay all
5 amounts received if the recipient fails to complete the service
6 obligation required by this subchapter or to meet other
7 requirements established by the Adjutant General.

8 § 3216. Recoupment of incentive payments.

9 (a) General rule.--A recipient of a stipend or other
10 incentive payment under this subchapter who fails to complete
11 his service obligation or to meet other requirements established
12 by the Adjutant General is liable to the Commonwealth for
13 repayment of all incentive payments made. The Adjutant General
14 shall notify the department if the recipient fails to complete
15 the service obligation, and the promissory note under section
16 3215 (relating to promissory note) shall be called to secure
17 payment in full upon demand on a schedule as the department may
18 determine.

19 (b) Forgiveness of recoupment.--The Adjutant General may
20 forgive recoupment of all or part of a recipient's stipend or
21 other incentive payment if the Adjutant General determines that
22 his failure to fulfill the service obligation was the result of
23 his death, discharge because of disability incurred in line of
24 duty, discharge because of a medical determination that he is
25 medically unfit for duty when the medical condition is outside
26 his control and is not due to his misconduct, mandatory
27 discharge, release or retirement for age or years of service, or
28 discharge, release, transfer or retirement because of other
29 compelling circumstances outside his control.

30 § 3217. Adjustment of stipend amounts.

1 Beginning on January 1, 2016, and every two years thereafter,
2 the Adjutant General may adjust, by notice published in the
3 Pennsylvania Bulletin, the amounts of the stipends set forth in
4 this subchapter by an amount equal to the change in the
5 applicable Consumer Price Index in the preceding two years
6 provided that the Adjutant General finds sufficient funds are
7 appropriated and available to pay for the adjusted stipends.

8 SUBCHAPTER C

9 MISCELLANEOUS PROVISIONS

10 Sec.

11 3221. Regulations.

12 3222. Administration.

13 § 3221. Regulations.

14 The Adjutant General shall promulgate regulations to carry
15 out the provisions of this chapter.

16 § 3222. Administration.

17 The General Assembly may appropriate funds to pay for grants
18 under Subchapter B (relating to ~~Military Physician~~ MEDICAL <--
19 OFFICER OR HEALTH OFFICER Incentive Program).

20 Section 5. This act shall take effect July 1, 2014, or
21 immediately, whichever is later.