
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 927 Session of
2021

INTRODUCED BY HUTCHINSON, KANE, MENSCH, J. WARD, PITTMAN AND
MASTRIANO, OCTOBER 27, 2021

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED,
JUNE 15, 2022

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in military educational programs,
3 further providing for medical officer or health officer
4 incentive program, for definitions, for establishment of
5 program, for program stipend, for additional incentives, for
6 recoupment of incentive payments and for adjustment of
7 stipend amounts.

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

10 Section 1. The heading of Subchapter B of Chapter 32 and
11 sections 3211, 3212, 3213, 3214, 3216 and 3217 of Title 51 of
12 the Pennsylvania Consolidated Statutes are amended to read:

13 SUBCHAPTER B

14 MEDICAL OFFICER OR HEALTH CARE

15 OFFICER INCENTIVE PROGRAM

16 § 3211. Definitions.

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

1 ["Behavioral health officer." An officer who:

2 (1) holds a license to practice psychology under the act
3 of March 23, 1972 (P.L.136, No.52), known as the Professional
4 Psychologists Practice Act, or is a licensed clinical social
5 worker as defined in section 3 of the act of July 9, 1987
6 (P.L.220, No.39), known as the Social Workers, Marriage and
7 Family Therapists and Professional Counselors Act;

8 (2) has malpractice insurance, is self-insured or
9 maintains insurance through a private employer; and

10 (3) meets any applicable Federal requirements for the
11 Pennsylvania National Guard.

12 "Medical officer or health officer." An officer who is any
13 of the following:

14 (1) A resident physician.

15 (2) A physician.

16 (3) A physician assistant.

17 (4) A behavioral health officer.

18 (5) A public health officer or environmental science
19 officer.]

20 "Health care Officer." An officer who serves in one of the
21 Air Force's following health care professions:

22 (1) Doctor.

23 (2) Nurse.

24 (3) Dentist.

25 (4) Allied Health.

26 (5) Administration.

27 "Medical Officer." An officer who serves in one of the Army
28 Medical Department's six corps:

29 (1) Dental Corps.

30 (2) Medical Corps.

- 1 (3) Medical Services Corps.
- 2 (4) Medical Specialist Corps.
- 3 (5) Nurse Corps.
- 4 (6) Veterinary Corps.

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

9 ["Physician." An officer assigned to and serving in an
10 authorized Army Medical Corps or Air Force Medical Corps
11 position who:

- 12 (1) has completed a medicine residency program; and
- 13 (2) is currently practicing medicine in the United
14 States or its territories.

15 "Physician assistant." An officer who:

- 16 (1) is licensed as a physician assistant under the act
17 of December 20, 1985 (P.L.457, No.112), known as the Medical
18 Practice Act of 1985; and
- 19 (2) meets any applicable Federal requirements for the
20 Pennsylvania National Guard.]

21 "Program." The Medical Officer or Health Care Officer
22 Incentive Program.

23 ["Public health officer" or "environmental science officer."]

24 An officer who holds a minimum of a bachelor's degree from an
25 educational program accredited by an agency recognized by the
26 United States Secretary of Education in an environmental science
27 related field of study, including any of the following majors or
28 their equivalent:

- 29 (1) Environmental science, environmental health or
30 environmental management.

- 1 (2) Occupational health.
- 2 (3) Industrial hygiene.
- 3 (4) Public health.
- 4 (5) Sanitary science or epidemiology.
- 5 (6) Biology, chemistry, toxicology, geology,
- 6 microbiology, biochemistry or zoology.

7 "Resident physician." An officer who:

- 8 (1) is assigned to a medical position in the
- 9 Pennsylvania National Guard;
- 10 (2) is a medical doctor or doctor of osteopathy
- 11 participating in graduate training;
- 12 (3) holds a license to practice medicine under the
- 13 Medical Practice Act of 1985; and
- 14 (4) meets any applicable Federal requirements for the
- 15 Pennsylvania National Guard.]

16 § 3212. Establishment of program.

17 The Medical Officer or Health Care Officer Incentive Program
18 is established within the department to provide educational
19 stipends to eligible medical officers or health care officers in
20 accordance with the provisions of this subchapter.

21 § 3213. Program stipend.

22 (a) General rule.--

23 [(1) A resident physician, physician or physician
24 assistant who meets the requirements under subsection (c) may
25 receive a stipend of \$1,000 per month for no more than 48
26 months of medicine residency or the first 36 accession months
27 of service to the Pennsylvania National Guard.

28 (2) A behavioral health officer, public health officer
29 or environmental science officer who meets the requirements
30 under subsection (c) may receive a stipend of \$500 per month

1 for no more than the first 36 accession months of service to
2 the Pennsylvania National Guard.]

3 (3) A medical officer or health care officer who is
4 required to have obtained a doctoral degree for entry into
5 the officer's military specialty and who meets the
6 requirements under subsection (c) may receive a stipend of
7 \$1,000 per month for no more than 48 months of medicine
8 residency or the first 36 accession months of service to the
9 Pennsylvania National Guard.

10 (4) A medical officer or health care officer who is
11 required to have obtained a master's degree for entry into
12 the officer's military specialty who meets the requirements
13 under subsection (c) may receive a stipend of \$750 per month
14 for no more than 48 months of medicine residency or the first
15 36 accession months of service to the Pennsylvania National
16 Guard.

17 (5) A medical officer or health care officer who is
18 required to have obtained a bachelor's degree for entry into
19 the officer's military specialty who meets the requirements
20 under subsection (c) may receive a stipend of \$500 per month
21 for no more than 48 months of medicine residency or the first
22 36 accession months of service to the Pennsylvania National
23 Guard.

24 (b) Areas of concentration.--An area of concentration
25 qualification for a medical or health officer must be approved
26 by the National Guard Bureau through a predetermination request
27 completed by the Pennsylvania Army National Guard Army Medical
28 Department Officer Strength Manager or the Pennsylvania Air
29 National Guard State Air Surgeon.

30 (b.1) Eligibility.--Medical officers and health care

1 officers assigned to administrative, planning or logistical
2 concentrations shall not be eligible for the program.

3 (c) Requirements.--In order to qualify for a stipend under
4 subsection (a), a medical officer or health care officer shall
5 meet all of the following:

6 (1) Be a member in good standing with the Pennsylvania
7 National Guard.

8 (2) Be assigned to an appropriate medical or health
9 position in the Pennsylvania National Guard.

10 (3) Agree to serve as a medical officer or health care
11 officer in the Pennsylvania National Guard [after completion
12 of residency or initial service obligation] for a period of
13 one month for each monthly stipend received. This service
14 obligation shall be concurrent with any other military
15 service obligation of the officer.

16 (4) Meet Federal and State licensing requirements to
17 practice within the officer's medical specialty within the
18 Commonwealth of Pennsylvania.

19 (5) Meet any applicable Federal requirements for the
20 Pennsylvania National Guard.

21 (6) Once licensed and eligible to be granted, maintain
22 clinical privileges as awarded at the national guard level by
23 the Centralized Credentials and Privileging Board (C2P2).

24 (d) Receipt of stipend.--A stipend under subsection (a)
25 shall be paid to an eligible medical officer or health care
26 officer whose application for the stipend is approved at the
27 completion of each month of residency or service. A medical
28 officer or health care officer may not receive a stipend under
29 subsection (a) for more than 48 months during the period of
30 service in the Pennsylvania National Guard.

1 (e) Adjustments.--If the Adjutant General determines that
2 the amount available for the program in any year will be
3 insufficient to provide stipends in the amount described under
4 subsection (a), the Adjutant General may place a cap on the
5 number of medical officers or health care officers eligible to
6 receive stipends or may adjust the amount of the annual stipend.

7 (f) Construction.--Nothing in this section shall be
8 construed to prohibit a medical officer or health care officer
9 who is serving in the Pennsylvania National Guard before the
10 effective date of this section and who meets the requirements
11 under subsection (c) from receiving a stipend under subsection
12 (a) during the period of [medicine] medical residency or
13 service.

14 § 3214. Additional incentives.

15 To the extent that funds are available, the Adjutant General
16 may, by regulation, establish additional incentives to aid in
17 the recruitment and retention of medical officers or health care
18 officers in the Pennsylvania National Guard, provided that
19 payment of such additional incentives shall not result in a cap
20 on participation or reduction in the amount of stipends paid
21 under section 3213 (relating to program stipend).

22 § 3216. Recoupment of incentive payments.

23 (a) General rule.--A recipient of a stipend or other
24 incentive payment under this subchapter who fails to complete
25 [his] the recipient's service obligation or to meet other
26 requirements established by the Adjutant General is liable to
27 the Commonwealth for repayment of all incentive payments made.
28 The Adjutant General shall notify the department if the
29 recipient fails to complete the service obligation, and the
30 promissory note under section 3215 (relating to promissory note)

1 shall be called to secure payment in full upon demand on a
2 schedule as the department may determine.

3 (b) Forgiveness of recoupment.--The Adjutant General may
4 forgive recoupment of all or part of a recipient's stipend or
5 other incentive payment if the Adjutant General determines that
6 [his] the recipient's failure to fulfill the service obligation
7 was the result of [his] the recipient's death, discharge because
8 of disability incurred in line of duty, discharge because of a
9 medical determination that [he] the recipient is medically unfit
10 for duty when the medical condition is outside [his] the
11 recipient's control and is not due to [his] the recipient's
12 misconduct, mandatory discharge, release or retirement for age
13 or years of service or discharge, release, transfer or
14 retirement because of other compelling circumstances outside
15 [his] the recipient's control.

16 § 3217. Adjustment of stipend amounts.

17 Beginning on January 1, [2016] ~~2022~~ 2023, and every [two] <--
18 five years thereafter, the Adjutant General may adjust, by
19 notice published in the Pennsylvania Bulletin, the amounts of
20 the stipends set forth in this subchapter by an amount equal to
21 the change in the applicable Consumer Price Index in the
22 preceding [two] five years provided that the Adjutant General
23 finds sufficient funds are appropriated and available to pay for
24 the adjusted stipends.

25 Section 2. This act shall take effect in 60 days.