

AN ACT

ENTITLED, An Act to establish a program to assist rural health care facilities in recruiting certain health care professionals and to repeal certain provisions regarding recruitment incentive payments for health care professionals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Department of Health may establish a program to assist rural health care facilities in recruiting eligible health care professionals as defined pursuant to section 3 of this Act.

Section 2. A rural health care facility eligible to participate in the recruitment assistance program is any rural health care facility which:

- (1) Is located in a community with a population of ten thousand or less;
- (2) Is licensed pursuant to chapter 34-12 or certified under Title XVIII or XIX of the Social Security Act as amended through December 31, 2011; and
- (3) Agrees to provide its portion of the recruitment assistance payment payable to a health care professional who practices in the health care facility as required by this Act.

A rural health care facility may have up to three eligible health care professionals per year participate in the program.

Section 3. A health care professional is eligible to participate in the recruitment assistance program, established pursuant to this Act, if the health care professional is licensed or certified to practice in his or her profession in South Dakota and agrees to practice full time in an eligible rural health care facility for a minimum period of three years. No more than sixty health care professionals may participate in the program each year. The Department of Health shall promulgate rules pursuant to chapter 1-26 to specify those health care professionals eligible to receive incentive payments under this recruitment assistance program.

Section 4. A health care professional who fulfills the requirements of the recruitment assistance

program established pursuant to this Act is entitled to receive an incentive payment not to exceed ten thousand dollars.

Section 5. Any agreement for the payment of recruitment assistance pursuant to this Act shall obligate the rural health care facility employing the health care professional to provide a portion of the total amount of recruitment incentives based on the following criteria: rural health care facilities in communities of two thousand five hundred persons or less shall provide twenty-five percent of recruitment incentive payments, and rural health care facilities in communities of greater than two thousand five hundred persons shall provide fifty percent of recruitment incentive payments. When the rural health care facility certifies to the secretary of health that it has paid the full amount for which it is obligated, the secretary of health shall pay to the health care professional the remaining balance of the total incentive amount. The secretary shall pay the required amount out of funds appropriated by the Legislature for such purpose. The incentive shall be paid upon the health care professional's completion of the required three-year practice period. However, a rural health facility may pay its portion of the incentive at any time during the three-year period.

Section 6. No recruitment assistance agreement entered into pursuant to the provisions of this Act is effective until it is filed with and approved by the secretary of health. The secretary may prescribe the form of the agreements and procedures for approval by rules promulgated pursuant to chapter 1-26.

Section 7. No person may participate in the program established pursuant to the provisions of this Act if the person has previously participated in such program, or any other state or federal scholarship, loan repayment, or tuition reimbursement program which obligates the person to provide medical services within an underserved area.

Section 8. Any rural health care facility participating in the program established pursuant to the provisions of this Act shall agree to be a participating South Dakota medical assistance provider and

to serve any person eligible under chapter 28-6 and may not refuse treatment to any such person while participating in the program.

Section 9. That § 1-16A-73.13 be repealed.

Section 10. That § 1-16A-73.14 be repealed.

Section 11. That § 1-16A-73.15 be repealed.

Section 12. That § 1-16A-73.16 be repealed.

Section 13. That § 1-16A-73.17 be repealed.

Section 14. That § 1-16A-73.18 be repealed.

Section 15. That § 1-16A-73.19 be repealed.

An Act to establish a program to assist rural health care facilities in recruiting certain health care professionals and to repeal certain provisions regarding recruitment incentive payments for health care professionals.

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I certify that the attached Act originated in the

SENATE as Bill No. 176

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 176  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

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Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_ , A.D., 20\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State