

ENROLLED HOUSE
BILL NO. 1411

By: Cox, Johnson, Dorman,
Blackwell, Braddock, Carey,
Winchester, Duncan, Nance,
Sullivan, Dank, Hyman,
Walker, Shoemake, Brannon
and Smithson of the House

and

Paddack, Coates and
Anderson of the Senate

An Act relating to education; amending 70 O.S. 2001, Sections 697.10 and 697.11, which relate to residency and internship programs; updating statutory citations; authorizing the Physician Manpower Training Commission to enter into certain contractual arrangements for the reimbursement of intern and resident professional liability insurance cost; requiring reimbursement of all intern and resident positions; creating the Intern and Residents Professional Liability Insurance Fund; providing for source of funds and expenditure procedures; deleting obsolete language relating to additional residency and internship positions; stating legislative intent for the Commission to establish a Critical Need Internship and Residency Program; stating purpose of the Program; requiring certain entities to make a determination of areas of critical need; requiring a report of findings; directing certain entities to provide an annual report of areas of physician shortages; stating purpose of the report; creating the Critical Need Internship and Residency Fund; providing for source of funds and expenditure procedures; establishing the Physician Assistant Scholarship Program; stating purpose of the act; providing for administration of the Program and estimate of funding; making awards contingent upon funding; providing for the number and amount of awards; providing eligibility criteria; providing for repayment of funds under certain conditions; establishing repayment interest rate; providing for payment of other damages; creating the Physician Assistant Scholarship Fund; providing for source of funds and expenditure procedures; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2001, Section 697.10, is amended to read as follows:

Section 697.10 A. The Physician Manpower Training Commission is authorized to enter into contractual arrangements with individual hospitals and clinical programs for the reimbursement of intern or resident salary cost not to exceed the limits established by Title 70, Section 697.2, of the Oklahoma Statutes of this title. Provided, that residency and internship positions created prior to the spring semester 1975 shall be eligible for participation in the cost-sharing program for internship and residency training as established by Title 70, Sections 697.1 through 697.8, of the Oklahoma Statutes of this title, only if partial funding of said positions will allow the creation of additional positions in whole or in part at the participating hospital or clinical situation. The participating hospital or clinical situation shall document in a manner specified by the Commission the extent to which funding of a previously created and established position will contribute contributes directly to the creation of additional positions at the participating hospital or clinical situation.

B. The Commission is authorized, in cooperation with the Oklahoma Health Care Authority, to enter into contractual arrangements with the University of Oklahoma College of Medicine and the Oklahoma State University College of Osteopathic Medicine for the reimbursement of intern and resident professional liability insurance cost which shall not be subject to the limits established in Section 697.2 of this title. Any and all intern and resident positions are eligible for reimbursement of intern and resident professional liability insurance cost.

C. There is hereby created in the State Treasury a revolving fund for the Physician Manpower Training Commission to be designated the "Intern and Residents Professional Liability Insurance Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Physician Manpower Training Commission for reimbursement of intern and residency professional liability insurance costs. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Physician Manpower Training Commission for such costs. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 697.11, is amended to read as follows:

Section 697.11. A. In addition to internship and residency programs previously established and funded, it is the intent of the Legislature that the Physician Manpower Training Commission, through in cooperation with the University of Oklahoma College of Medicine, University of Oklahoma-Tulsa Medical College and the Oklahoma College of Osteopathic Medicine and Surgery, establish and fund additional residency and internship positions as follows: fiscal year 1981, 56 positions; fiscal year 1982, a maximum of 60 positions; fiscal year 1983, a maximum of 30 positions; fiscal year 1984, a maximum of 10 positions Oklahoma Health Care Authority, establish a Critical Need Internship and Residency Program. The purpose of the Program is to fund internship and residency programs

across the state in areas of critical need. The determination of areas of critical need shall be made through a cooperative effort between the University of Oklahoma College of Medicine and the Oklahoma State University College of Osteopathic Medicine. The findings shall be reported to the Commission by July 1, 2006, and every three (3) years thereafter.

B. The University of Oklahoma College of Medicine and the Oklahoma State University College of Osteopathic Medicine shall annually provide to the Commission a report outlining the areas of physician shortages in each specialty area. The report shall be the basis for the cooperative funding of critical need physician specialties for the current fiscal year.

C. There is hereby created in the State Treasury a revolving fund for the Physician Manpower Training Commission to be designated the "Critical Need Internship and Residency Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Physician Manpower Training Commission for funding internship and residency programs in areas of critical need. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Physician Manpower Training Commission for such costs. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 697.21 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. There is hereby established the Physician Assistant Scholarship Program. The purpose of the program is to encourage persons to enter physician assistant education programs and to practice in rural and medically underserved areas of this state. The Physician Assistant Scholarship Program shall be administered by the Physician Manpower Training Commission pursuant to rules promulgated by the Commission and shall be funded based on an annual estimate of need as determined by the Commission. Awards made pursuant to this Program shall be subject to the availability of funds. The number of and amount of each award shall be determined by the Commission based on the availability of funds.

B. Only students who are residents of this state and who have been admitted as a student in an accredited physician assistant program shall be eligible to participate in the Physician Assistant Scholarship Program.

C. If a person receiving Physician Assistant Scholarship Program monies fails to fully comply with the provisions of the contract for the monies, the person shall refund to the Physician Manpower Training Commission all monies received by the person pursuant to the provisions of the contract plus interest at a rate that equals the prime interest rate plus one percent (1%) from the date of disbursement of the funds and shall be liable for any other liquidated damages as specified in the contract.

D. There is hereby created in the State Treasury a revolving fund for the Physician Manpower Training Commission to be designated the "Physician Assistant Scholarship Fund". The fund shall be a

continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Physician Manpower Training Commission for implementation of the Physician Assistant Scholarship Program. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Physician Manpower Training Commission for such scholarships as may be provided for pursuant to the Physician Assistant Scholarship Program. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 4. This act shall become effective July 1, 2005.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 24th day of May, 2005.

Presiding Officer of the House of
Representatives

Passed the Senate the 24th day of May, 2005.

Presiding Officer of the Senate