

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SUBCOMMITTEE RECOMMENDATION
FOR

HOUSE BILL NO. 3351

By: McEntire

SUBCOMMITTEE RECOMMENDATION

An Act relating to medical preceptorship training; defining terms; providing income tax credit for certain individuals who conduct a preceptorship rotation; providing amount of and basis for credit; providing limitations on credits allowed; prohibiting refundability of credit; authorizing the carry forward of credit; directing the State Board of Medical Licensure and Supervision State Board of Osteopathic Examiners and Oklahoma Board of Nursing to award credit; limiting the amount of credit awarded to balance of certain revolving funds; authorizing allocation of partial credit; authorizing credits not allowed to be claimed in subsequent year; specifying eligibility for credit; directing the State Board of Medical Licensure and Supervision State Board of Osteopathic Examiners and Oklahoma Board of Nursing to deposit certain fees in revolving fund for certain purpose; requiring submission of information; authorizing promulgation of rules; creating the Physician Preceptor Tax Credit Revolving Fund, the Physician Assistant Preceptor Tax Credit Revolving Fund, the Osteopathic Physician Preceptor Tax Credit Revolving Fund and the Advanced Practice Registered Nurses Preceptor Revolving Fund; specifying sources of funds; providing for transfer of monies to Oklahoma Tax Commission; requiring apportionment of monies; authorizing administrative expenditures; stating purpose; providing for codification; providing an effective date; and declaring an emergency.

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

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 2357.409 of Title 68, unless
4 there is created a duplication in numbering, reads as follows:

5 A. As used in this section:

6 1. "Faculty preceptor" means an allopathic physician,
7 osteopathic physician, physician assistant or advanced practice
8 registered nurse licensed in this state and who is either a primary
9 care physician or with respect to a physician assistant or advanced
10 practice registered nurse is performing most of his or her
11 professional services for a primary care physician;

12 2. "Medical school" means a legally chartered medical school
13 recognized by the Oklahoma State Regents for Higher Education;

14 3. "Medical student" means a student currently enrolled in a
15 medical school in this state or a school or college of osteopathic
16 medicine in this state;

17 4. "Physician assistant student" means an individual
18 participating in a state-supported training program in this state
19 that is approved by the State Board of Medical Licensure and
20 Supervision for the training of individuals to become physician
21 assistants as defined in Section 519.2 of Title 59 of the Oklahoma
22 Statutes;

23 5. "Preceptorship rotation" means a period of preceptorship
24 training of one or more medical students, residents, physician

1 assistant students or advanced practice registered nurses that in
2 aggregate totals one hundred sixty (160) hours;

3 6. "Preceptorship training" means uncompensated training of a
4 medical student, resident, physician assistant student or advanced
5 practice registered nurse enrolled in a training program in this
6 state;

7 7. "Primary care physicians" shall mean physicians practicing
8 in family medicine, geriatrics, general internal medicine, or
9 general pediatrics;

10 8. "Resident" means an allopathic physician or osteopathic
11 physician pursuing postgraduate medical education at a program
12 supported by a medical school or a school or college of osteopathic
13 medicine in this state; and

14 9. "School or college of osteopathic medicine" shall have the
15 same meaning as provided by Section 631 of Title 59 of the Oklahoma
16 Statutes.

17 B. 1. For tax years beginning January 1, 2025, and ending not
18 later than December 31, 2034, there shall be allowed a credit
19 against the tax imposed pursuant to Section 2355 of Title 68 of the
20 Oklahoma Statutes for a faculty preceptor who conducts a
21 preceptorship rotation.

22 2. Except as provided for by subsection F of this section,
23 credit shall be allowed for no greater than ten preceptorship
24

1 rotations completed in a calendar year, and shall be equal to the
2 following amounts:

- 3 a. for a medical student or resident, Five Hundred
4 Dollars (\$500.00) each for the first, second, or third
5 preceptorship rotations and One Thousand Dollars
6 (\$1,000.00) each for up to seven subsequent rotations,
7 and
- 8 b. for a physician assistant student or advanced practice
9 registered nurse, Three Hundred Seventy-five Dollars
10 (\$375.00) each for the first, second, or third
11 preceptorship rotations and Seven Hundred Fifty
12 Dollars (\$750.00) each for up to seven subsequent
13 rotations.

14 C. The credit authorized by this section shall not be used to
15 reduce the tax liability of the taxpayer to less than zero (0).

16 D. To the extent not used, the credits authorized by this
17 section may be carried over, in order, to each of the five (5)
18 subsequent tax years.

19 E. 1. The State Board of Medical Licensure and Supervision
20 shall award the credit authorized by subsection B of this section to
21 faculty preceptors for preceptorship rotations of:

- 22 a. medical students enrolled in a medical school in this
23 state,

- b. residents who are allopathic physicians pursuing postgraduate medical education at a program supported by a medical school in this state, and
- c. physician assistant students.

2. The State Board of Osteopathic Examiners shall award the credit authorized by subsection B of this section to faculty preceptors for preceptorship rotations of:

- a. medical students enrolled in a school or college of osteopathic medicine in this state, and
- b. residents who are osteopathic physicians pursuing postgraduate medical education at a program supported by a school or college of osteopathic medicine in this state.

3. The Oklahoma Board of Nursing shall award the credit authorized by subsection B of this section to faculty preceptors for preceptor rotations with respect to advanced practice registered nurses.

F. 1. The credits awarded by the State Board of Medical Licensure and Supervision under subparagraphs a and b of paragraph 1 of subsection E of this section for the tax year shall not exceed the amount deposited to the Physician Preceptor Tax Credit Revolving Fund created in Section 2 of this act during the fiscal year ending on the June 30 date immediately preceding the January 1 date upon which the applicable income tax year begins.

1 2. The credits awarded by the State Board of Medical Licensure
2 and Supervision under subparagraph c of paragraph 1 of subsection E
3 of this section for the tax year shall not exceed the amount
4 deposited to the Physician Assistant Preceptor Tax Credit Revolving
5 Fund created in Section 3 of this act during the fiscal year ending
6 on the June 30 date immediately preceding the January 1 date upon
7 which the applicable income tax year begins.

8 3. The credits awarded by the State Board of Osteopathic
9 Examiners under paragraph 2 of subsection E of this section for the
10 tax year shall not exceed the amount deposited to the Osteopathic
11 Physician Preceptor Tax Credit Revolving Fund created in Section 4
12 of this act during the preceding fiscal year ending on the June 30
13 date immediately preceding the January 1 date upon which the
14 applicable income tax year begins.

15 4. The credits awarded by the Oklahoma Board of Nursing under
16 paragraph 3 of subsection E of this section for the tax year shall
17 not exceed the amount deposited to the Advanced Practice Registered
18 Nurses Preceptor Tax Credit Revolving Fund created in Section 5 of
19 this act during the preceding fiscal year ending on the June 30 date
20 immediately preceding the January 1 date upon which the applicable
21 income tax year begins.

22 G. Partial claims for credit may be awarded. Credits earned
23 but not allowed due to the application of the limitation provided in
24 this section shall be considered suspended and authorized to be used

1 in the subsequent tax year and applied to the next tax year's
2 limitation.

3 H. In order to receive the credit provided pursuant to this
4 section, a faculty preceptor shall:

5 1. Claim the credit for the tax year in which the preceptorship
6 rotation was completed;

7 2. Certify that he or she did not receive payment during the
8 tax year from any source for providing the training; and

9 3. Supply supporting documentation as may be required by the
10 State Board of Medical Licensure and Supervision or the State Board
11 of Osteopathic Examiners.

12 I. 1. The State Board of Medical Licensure and Supervision
13 shall reserve Five Dollars (\$5.00) of every annual licensure fee
14 received from allopathic physicians and shall deposit the sum to the
15 Physician Preceptor Tax Credit Revolving Fund created in Section 2
16 of this act for the purpose of providing funding for the credit
17 authorized by this section.

18 2. The State Board of Medical Licensure and Supervision shall
19 reserve Two Dollars (\$2.00) of every annual licensure fee received
20 from physician assistants and shall deposit the sum to the Physician
21 Assistant Preceptor Tax Credit Revolving Fund created in Section 3
22 of this act for the purpose of providing funding for the credit
23 authorized by this section.

1 3. The State Board of Osteopathic Examiners shall reserve Five
2 Dollars (\$5.00) of every annual licensure fee received from
3 osteopathic physicians and shall deposit the sum to the Osteopathic
4 Physician Preceptor Tax Credit Revolving Fund created in Section 4
5 of this act for the purpose of providing funding for the credit
6 authorized by this section.

7 4. The Oklahoma Board of Nursing shall reserve Two Dollars
8 (\$2.00) of every annual licensure fee received from advanced
9 practice registered nurses and shall deposit the sum to the Advanced
10 Practice Registered Nurses Preceptor Tax Credit Revolving Fund
11 created in Section 5 of this act for the purpose of providing
12 funding for the credit authorized by this section.

13 J. With respect to each tax year for which any tax credit
14 authorized by this section is awarded, the State Board of Medical
15 Licensure and Supervision, the State Board of Osteopathic Examiners
16 and the Oklahoma Board of Nursing shall electronically submit
17 information to the Oklahoma Tax Commission, which shall include:

- 18 1. The number and amount of tax credits awarded;
- 19 2. The name of the taxpayers that were awarded credits; and
- 20 3. The amount deposited in the Physician Preceptor Tax Credit
21 Revolving Fund, created in Section 2 of this act, the Physician
22 Assistant Preceptor Tax Credit Revolving Fund, created in Section 3
23 of this act, the Osteopathic Physician Preceptor Tax Credit
24 Revolving Fund, created in Section 4 of this act and the Advanced

1 Practice Registered Nurses Preceptor Tax Credit Revolving Fund
2 created in Section 5 of this act.

3 K. The Oklahoma Tax Commission, the State Board of Medical
4 Licensure and Supervision, the State Board of Osteopathic Examiners
5 and the Oklahoma Board of Nursing may promulgate rules to effectuate
6 the provisions of this act.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 495i of Title 59, unless there
9 is created a duplication in numbering, reads as follows:

10 There is hereby created in the State Treasury a revolving fund
11 for the State Board of Medical Licensure and Supervision to be
12 designated the "Physician Preceptor Tax Credit Revolving Fund". The
13 fund shall be a continuing fund, not subject to fiscal year
14 limitations, and shall consist of the monies received by the Board
15 from a portion of licensure fees received from allopathic physicians
16 under subsection I of Section 1 of this act. All monies accruing to
17 the credit of the fund are hereby appropriated and the fund shall be
18 used to make a transfer payment to the Oklahoma Tax Commission in an
19 amount equal to the amount of tax credits awarded pursuant to this
20 act. The Oklahoma Tax Commission shall apportion monies transferred
21 from the fund in the same manner as provided by Section 2352 of
22 Title 68 of the Oklahoma Statutes. Monies in the fund which are not
23 required for payment of administrative expenses, which shall not
24 exceed five percent (5%) of monies apportioned to the fund, or which

1 are not required to be transferred to the Oklahoma Tax Commission as
2 otherwise required by this act to offset the revenue impacted by the
3 use of the income tax credits awarded pursuant to Section 1 of this
4 act may be used to implement programs required or authorized by law.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 519.8a of Title 59, unless there
7 is created a duplication in numbering, reads as follows:

8 There is hereby created in the State Treasury a revolving fund
9 for the State Board of Medical Licensure and Supervision to be
10 designated the "Physician Assistant Preceptor Tax Credit Revolving
11 Fund". The fund shall be a continuing fund, not subject to fiscal
12 year limitations, and shall consist of the monies received by the
13 Board from a portion of licensure fees received from physician
14 assistants under subsection I of Section 1 of this act. All monies
15 accruing to the credit of the fund are hereby appropriated and the
16 fund shall be used to make a transfer payment to the Oklahoma Tax
17 Commission in an amount equal to the amount of tax credits awarded
18 pursuant to this act. The Oklahoma Tax Commission shall apportion
19 monies transferred from the fund in the same manner as provided by
20 Section 2352 of Title 68 of the Oklahoma Statutes. Monies in the
21 fund which are not required for payment of administrative expenses,
22 which shall not exceed five percent (5%) of monies apportioned to
23 the fund, or which are not required to be transferred to the
24 Oklahoma Tax Commission as otherwise required by this act to offset

1 the revenue impacted by the use of the income tax credits awarded
2 pursuant to Section 1 of this act may be used to implement programs
3 required or authorized by law.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 645.1 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

7 There is hereby created in the State Treasury a revolving fund
8 for the State Board of Osteopathic Examiners to be designated the
9 "Osteopathic Physician Preceptor Tax Credit Revolving Fund". The
10 fund shall be a continuing fund, not subject to fiscal year
11 limitations, and shall consist of the monies received by the Board
12 from a portion of licensure fees received from osteopathic
13 physicians under subsection I of Section 1 of this act. All monies
14 accruing to the credit of the fund are hereby appropriated and the
15 fund shall be used to make a transfer payment to the Oklahoma Tax
16 Commission in an amount equal to the amount of tax credits awarded
17 pursuant to this act. The Oklahoma Tax Commission shall apportion
18 monies transferred from the fund in the same manner as provided by
19 Section 2352 of Title 68 of the Oklahoma Statutes. Monies in the
20 fund which are not required for payment of administrative expenses,
21 which shall not exceed five percent (5%) of monies apportioned to
22 the fund, or which are not required to be transferred to the
23 Oklahoma Tax Commission as otherwise required by this act to offset
24 the revenue impacted by the use of the income tax credits awarded

1 pursuant to Section 1 of this act may be used to implement programs
2 required or authorized by law.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 567.31 of Title 59, unless there
5 is created a duplication in numbering, reads as follows:

6 There is hereby created in the State Treasury a revolving fund
7 for the Oklahoma Board of Nursing to be designated the "Advanced
8 Practice Registered Nurses Preceptor Tax Credit Revolving Fund".

9 The fund shall be a continuing fund, not subject to fiscal year
10 limitations, and shall consist of the monies received by the Board
11 from a portion of licensure fees received from advanced practice
12 registered nurses under subsection I of Section 1 of this act. All
13 monies accruing to the credit of the fund are hereby appropriated
14 and the fund shall be used to make a transfer payment to the
15 Oklahoma Tax Commission in an amount equal to the amount of tax
16 credits awarded pursuant to this act. The Oklahoma Tax Commission
17 shall apportion monies transferred from the fund in the same manner
18 as provided by Section 2352 of Title 68 of the Oklahoma Statutes.

19 Monies in the fund which are not required for payment of
20 administrative expenses, which shall not exceed five percent (5%) of
21 monies apportioned to the fund, or which are not required to be
22 transferred to the Oklahoma Tax Commission as otherwise required by
23 this act to offset the revenue impacted by the use of the income tax
24

1 credits awarded pursuant to Section 1 of this act may be used to
2 implement programs required or authorized by law.

3 SECTION 6. This act shall become effective July 1, 2024.

4 SECTION 7. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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