

## REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Education** recommends **SB 98** be amended on page 1, following line 9, by inserting:

"Section 1. K.S.A. 74-3265 is hereby amended to read as follows: 74-3265. (a) Within the limits of appropriations for osteopathic medical service scholarships, and in accordance with the provisions of this section, the state board of regents may award such scholarships to Kansas residents who are undergraduate students enrolled in or admitted to accredited or pre-accredited schools of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy and who enter into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto.

(b) Osteopathic medical service scholarships shall be in effect for the period of time specified in subsection (c) and shall provide to the person receiving the scholarship the payment of an amount not to exceed the maximum amount of a loan authorized to be made under the medical student loan act.

(c) Osteopathic medical service scholarships shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. A Kansas resident who is an undergraduate student enrolled in or admitted to an accredited or pre-accredited school of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy may be awarded a scholarship for each year the student enters into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto, up to a maximum of four years. For each year a student is awarded a scholarship, the student shall engage in the practice of medicine and surgery in Kansas for the

period of time specified in ~~subsection (a)(3)~~ of K.S.A. 74-3266~~(a)(3)~~, and amendments thereto, unless such obligation is otherwise satisfied as provided in K.S.A. 74-3268, and amendments thereto.

(d) The state board of regents shall not award more than ~~15~~ 25 osteopathic medical service scholarships in any year to persons who have not previously been awarded such a scholarship and, in any case, the state board shall not award more than ~~60~~ 80 such scholarships in any year. In selecting Kansas residents to be awarded osteopathic medical service scholarships, the state board shall give primary consideration to students commencing their first year of instruction at accredited or pre-accredited schools of osteopathic medicine and thereafter shall consider students in later years of instruction.

Sec. 2. K.S.A. 74-3268 is hereby amended to read as follows: 74-3268. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed during any period of time: (1) ~~During any~~ Of required period of active military service; (2) ~~during any period~~ of service as a part of volunteers in service to America (VISTA); (3) ~~during any period~~ of service in the peace corps; (4) ~~during any period~~ of service commitment to the United States public health service; (5) ~~during any period~~ of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on December 31, 2000; (6) ~~during any period of time~~ the person obligated is engaged solely in the teaching of medicine; (7) ~~during any period of time~~ the person obligated is engaged solely in medical research; (8) ~~during any period of time~~ the person obligated is unable because of temporary medical disability to practice medicine and surgery; (9) ~~during any period of time~~ the person

obligated is on job-protected leave under the federal family and medical leave act of 1993; ~~or~~  
(10) ~~during any period of time~~ the state board of regents determines that the person obligated is  
unable because of special circumstances to practice medicine and surgery; or (11) not longer than  
one year during which the person participates in a healthcare-related fellowship program.

(b) Except for ~~clauses~~ subsection (a)(8), (9) and (10), an obligation to engage in the  
practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and  
amendments thereto, shall not be postponed more than five years from the time the practice of  
medicine and surgery was to have been commenced under any such agreement. An obligation to  
engage in the practice of medicine and surgery in accordance with an agreement under K.S.A.  
74-3266, and amendments thereto, shall be postponed under ~~clause~~ subsection (a)(8) during the  
period of time the medical disability exists. An obligation to engage in the practice of medicine  
and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto,  
shall be postponed under ~~clause~~ subsection (a)(9) during the period of time the person obligated  
remains on FMLA leave. An obligation to engage in the practice of medicine and surgery in  
accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be  
postponed under ~~clause~~ subsection (a)(10) during the period of time the state board of regents  
determines that the special circumstances exist. The state board of regents shall adopt rules and  
regulations prescribing criteria or guidelines for determination of the existence of special  
circumstances causing an inability to practice medicine and surgery, and shall determine the  
documentation required to prove the existence of such circumstances.

~~(b)~~(c) An obligation to engage in the practice of medicine and surgery in accordance  
with an agreement under K.S.A. 74-3266, and amendments thereto, shall be satisfied: (1) If the

obligation to engage in the practice of medicine and surgery has been completed in accordance with the agreement; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery; (4) if the person obligated fails to satisfy the requirements for a degree of doctor of osteopathy after making the best effort possible to obtain such degree; or (5) if the person obligated fails to satisfy all requirements for a permanent license to practice medicine and surgery in Kansas or any other jurisdiction or has been denied a license after the person has applied for a license and has made the best effort possible to obtain a license.";

On page 4, in line 32, after the period by inserting "Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.";

On page 6, following line 34, by inserting:

"Sec. 6. K.S.A. 76-386 is hereby amended to read as follows: 76-386. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed during any period of time for: (1) ~~During any~~ Required ~~period of~~ active military service of the person obligated or such person's spouse; (2) ~~during any period of~~ service as a part of volunteers in service to America (VISTA); (3) ~~during any period of~~ service in the peace corps; (4) ~~during any period of~~ service commitment to the United States public health service; (5) ~~during any period of~~ religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1986; ~~or~~ (6) ~~during any period of~~ temporary medical disability during which the person obligated is unable

because of such medical disability to practice medicine and surgery; or (7) not more than one year during which the person participates in a healthcare-related fellowship program.

(b) Except for ~~clause (6) of this subsection (a)(6)~~, an obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed under ~~clause (6) of this subsection (a)(6)~~ during the period of time the medical disability exists.

~~(b)~~(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.";

On page 8, in line 4, after the period by inserting "Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement."; in line 9, after the semicolon by inserting "(2) any period of not more than one year during which the person participates in a healthcare-related fellowship program; (3) any required period of active military service of the person obligated or such person's spouse;"; also in line 9, by striking "(2)" and inserting "(4)";

On page 10, in line 12, after "K.S.A." by inserting "74-3265, 74-3268,"; also in line 12,

after "76-385," by inserting "76-386,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "loan" and inserting "medical"; in line 2, by striking "the university of Kansas school of medicine" and inserting "financial assistance therefor; osteopathic medical service scholarships"; in line 6, after "K.S.A." by inserting "74-3265, 74-3268,"; also in line 6, after "76-385" by inserting ", 76-386"; and the bill be passed as amended.

\_\_\_\_\_Chairperson