

SENATE BILL No. 98

By Committee on Education

1-24

1 AN ACT concerning postsecondary and postgraduate ~~loan~~ **medical**
2 programs; relating to ~~the university of Kansas school of medicine~~
3 **financial assistance therefor; osteopathic medical service**
4 **scholarships**; medical student loan program and residency bridging
5 program; encouraging the practice of obstetrics and gynecology;
6 establishing the OBGYN medical loan repayment fund and the
7 OBGYN medical residency bridging fund; amending K.S.A. 74-3265,
8 74-3268, 76-381, 76-383, 76-385, **76-386** and 76-387 and repealing the
9 existing sections; also repealing K.S.A. 76-386a.

10
11 *Be it enacted by the Legislature of the State of Kansas:*

12 **Section 1. K.S.A. 74-3265 is hereby amended to read as follows: 74-**
13 **3265. (a) Within the limits of appropriations for osteopathic medical**
14 **service scholarships, and in accordance with the provisions of this**
15 **section, the state board of regents may award such scholarships to**
16 **Kansas residents who are undergraduate students enrolled in or**
17 **admitted to accredited or pre-accredited schools of osteopathic medicine**
18 **in a course of instruction leading to the degree of doctor of osteopathy**
19 **and who enter into a written agreement with the state board of regents**
20 **as provided in K.S.A. 74-3266, and amendments thereto.**

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

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

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

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

13 *Sec. 2. K.S.A. 74-3268 is hereby amended to read as follows: 74-*
 14 *3268. (a) An obligation to engage in the practice of medicine and*
 15 *surgery in accordance with an agreement under K.S.A. 74-3266, and*
 16 *amendments thereto, shall be postponed during any period of time: (1)*
 17 *During any Of required period of active military service; (2) during any*
 18 *period of service as a part of volunteers in service to America (VISTA);*
 19 *(3) during any period of service in the peace corps; (4) during any period*
 20 *of service commitment to the United States public health service; (5)*
 21 *during any period of religious missionary work conducted by an*
 22 *organization exempt from tax under section 501(c)(3) of the federal*
 23 *internal revenue code as in effect on December 31, 2000; (6) during any*
 24 *period of time the person obligated is engaged solely in the teaching of*
 25 *medicine; (7) during any period of time the person obligated is engaged*
 26 *solely in medical research; (8) during any period of time the person*
 27 *obligated is unable because of temporary medical disability to practice*
 28 *medicine and surgery; (9) during any period of time the person obligated*
 29 *is on job-protected leave under the federal family and medical leave act*
 30 *of 1993; or (10) during any period of time the state board of regents*
 31 *determines that the person obligated is unable because of special*
 32 *circumstances to practice medicine and surgery; or (11) not longer than*
 33 *one year during which the person participates in a healthcare-related*
 34 *fellowship program.*

35 *(b) Except for clauses subsection (a)(8), (9) and (10), an obligation*
 36 *to engage in the practice of medicine and surgery in accordance with an*
 37 *agreement under K.S.A. 74-3266, and amendments thereto, shall not be*
 38 *postponed more than five years from the time the practice of medicine*
 39 *and surgery was to have been commenced under any such agreement.*
 40 *An obligation to engage in the practice of medicine and surgery in*
 41 *accordance with an agreement under K.S.A. 74-3266, and amendments*
 42 *thereto, shall be postponed under clause subsection (a)(8) during the*
 43 *period of time the medical disability exists. An obligation to engage in*

1 *the practice of medicine and surgery in accordance with an agreement*
 2 *under K.S.A. 74-3266, and amendments thereto, shall be postponed*
 3 ~~under clause~~ *subsection (a)(9) during the period of time the person*
 4 *obligated remains on FMLA leave. An obligation to engage in the*
 5 *practice of medicine and surgery in accordance with an agreement*
 6 *under K.S.A. 74-3266, and amendments thereto, shall be postponed*
 7 ~~under clause~~ *subsection (a)(10) during the period of time the state board*
 8 *of regents determines that the special circumstances exist. The state*
 9 *board of regents shall adopt rules and regulations prescribing criteria or*
 10 *guidelines for determination of the existence of special circumstances*
 11 *causing an inability to practice medicine and surgery, and shall*
 12 *determine the documentation required to prove the existence of such*
 13 *circumstances.*

14 ~~(b)~~(c) *An obligation to engage in the practice of medicine and*
 15 *surgery in accordance with an agreement under K.S.A. 74-3266, and*
 16 *amendments thereto, shall be satisfied: (1) If the obligation to engage in*
 17 *the practice of medicine and surgery has been completed in accordance*
 18 *with the agreement; (2) if the person obligated dies; (3) if, because of*
 19 *permanent physical disability, the person obligated is unable to practice*
 20 *medicine and surgery; (4) if the person obligated fails to satisfy the*
 21 *requirements for a degree of doctor of osteopathy after making the best*
 22 *effort possible to obtain such degree; or (5) if the person obligated fails*
 23 *to satisfy all requirements for a permanent license to practice medicine*
 24 *and surgery in Kansas or any other jurisdiction or has been denied a*
 25 *license after the person has applied for a license and has made the best*
 26 *effort possible to obtain a license.*

27 ~~Section 1.~~ **Sec. 3.** K.S.A. 76-381 is hereby amended to read as
 28 follows: 76-381. As used in K.S.A. 76-380 through 76-386, and
 29 amendments thereto:

30 (a) "Act" means the medical student loan act;

31 (b) "approved postgraduate residency training program" means a
 32 residency training program in general pediatrics, general internal
 33 medicine, family medicine, family practice, emergency medicine,
 34 *obstetrics and gynecology*, general psychiatry, child psychiatry or
 35 fellowship training in geriatric medicine;

36 (c) "service commitment area" means: (1) Any community within any
 37 county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or
 38 Wyandotte county; (2) any state medical care facility or institution; (3) any
 39 medical center operated by the veterans administration of the United
 40 States; (4) ~~the full-time faculty of the university of Kansas school of~~
 41 ~~medicine in family medicine, family practice, general psychiatry or child~~
 42 ~~psychiatry~~ *if serving as full-time faculty as provided in K.S.A. 76-384(c),*
 43 *and amendments thereto; or (5) any community within Wyandotte county*

1 for purposes of any practice obligation under an agreement entered into by
2 a person who is enrolled for the first time after July 1, 2004, in a course of
3 study leading to the medical degree; and

4 (d) "state medical care facility or institution" includes, but is not
5 limited to, the Kansas state school for the ~~visually handicapped~~ *blind*, the
6 Kansas state school for the deaf, any institution under the secretary for
7 aging and disability services, as defined ~~by~~ *in* K.S.A. 76-12a01, and
8 amendments thereto, any institution ~~under the commissioner of juvenile~~
9 ~~justice~~ as defined ~~by~~ *in* K.S.A. 38-2302, and amendments thereto, the
10 Kansas soldiers' home, the Kansas veterans' home and any correctional
11 institution under the secretary of corrections, as defined ~~by~~ *in* K.S.A. 75-
12 5202, and amendments thereto, but shall not include any state educational
13 institution under the state board of regents, as defined ~~by~~ *in* K.S.A. 76-711,
14 and amendments thereto, except as specifically provided by statute.

15 ~~Sec. 2.~~ **4.** K.S.A. 76-383 is hereby amended to read as follows: 76-
16 383. A medical student loan agreement entered into by the university of
17 Kansas school of medicine and an undergraduate student enrolled in or
18 admitted to the university of Kansas school of medicine in a course of
19 instruction leading to the degree of doctor of medicine for the purpose of
20 receiving a medical student loan under this act shall require that the person
21 receiving the loan:

22 (a) Complete the required course of instruction and receive the degree
23 of doctor of medicine and apply for, enter and complete an approved
24 postgraduate residency training program;

25 (b) apply for and obtain a license to practice medicine and surgery in
26 Kansas;

27 (c) *except as otherwise provided in K.S.A. 76-384, and amendments*
28 *thereto*, engage in the full-time practice of medicine and surgery for a
29 period of 12 months within a service commitment area, ~~except as~~
30 ~~otherwise provided in K.S.A. 76-384(c), and amendments thereto, for~~
31 ~~service as a full-time faculty member of the university of Kansas school of~~
32 ~~medicine in family medicine, family practice, general psychiatry or child~~
33 ~~psychiatry;~~

34 (d) commence such full-time practice of medicine and surgery within
35 nine months after completion of an approved postgraduate residency
36 training program and licensure in a service commitment area and continue
37 such full-time practice in such service commitment area for a consecutive
38 period of months equal to the total number of months required under the
39 agreement;

40 (e) agree that the service commitment for each agreement entered into
41 under this act is in addition to the service commitment contained in any
42 other agreement ~~which~~ *that* has been or may be entered into under this act
43 for the purpose of obtaining a medical student loan or under other

1 agreements for the purpose of obtaining scholarship aid;

2 (f) maintain records and make reports to the university of Kansas
3 school of medicine to document the satisfaction of the obligation under
4 such agreement to engage in the full-time practice of medicine and surgery
5 within a service commitment area and to continue such full-time practice
6 in such service commitment area for a consecutive period of months equal
7 to the total number of months required under the agreement; and

8 (g) upon failure to satisfy an agreement to engage in the full-time
9 practice of medicine and surgery within a service commitment area for the
10 required period of time under any such agreement, the person receiving a
11 medical student loan under this act shall repay amounts to the university of
12 Kansas school of medicine as provided in K.S.A. 76-385, and amendments
13 thereto.

14 Sec. ~~3~~. 5. K.S.A. 76-385 is hereby amended to read as follows: 76-
15 385. (a) (1) Except as otherwise provided in paragraphs (2), ~~(3)~~, ~~(4)~~ and
16 ~~(5)~~ through (6) or in K.S.A. 76-386, and amendments thereto, upon the
17 failure of any person to satisfy the obligation to engage in the full-time
18 practice of medicine and surgery within a service commitment area of this
19 state for the required period of time under any medical student loan
20 agreement entered into under this act, such person shall repay to the
21 university of Kansas school of medicine in accordance with subsection (b)
22 an amount equal to the total of: (A) The amount of money received by
23 such person pursuant to such agreement, or the amount of money
24 determined under rules and regulations of the university of Kansas; plus
25 (B) annual interest at a rate of 15% from the date such money was
26 received.

27 (2) Any person who fails to apply for and enter an approved
28 postgraduate residency training program shall be required to repay all
29 moneys received pursuant to an agreement entered into for any such
30 medical student loan, plus accumulated interest at an annual rate of 15%
31 and shall commence such repayment in accordance with subsection (b)
32 within 90 days of graduation from the school of medicine or upon
33 termination or completion of a residency training program ~~which~~ that does
34 not comply with the provisions of this act, whichever is later.

35 (3) If at any time a person is failing to satisfy an obligation to engage
36 in the full-time practice of medicine and surgery in Kansas for the required
37 period of time under an agreement entered into under this act because such
38 person is engaged in the full-time practice of medicine and surgery in a
39 state other than Kansas, or within Kansas in an area that is not a service
40 commitment area or in the practice of medicine and surgery which does
41 not otherwise comply with the agreement entered into under this act, and if
42 such person is subject to or currently making repayments under this
43 section and if such person subsequently commences the practice of

1 medicine and surgery in this state which is in a service commitment area
2 or which otherwise complies with the agreement entered into under this
3 act, the balance of the repayment amount, including interest thereon, from
4 the time of such commencement of practice until the obligation of such
5 person is satisfied, or until the time such person again becomes subject to
6 repayments, shall be waived. All repayment amounts due prior to such
7 commencement of practice, including interest thereon, shall continue to be
8 payable as provided in this section. If subsequent to such commencement
9 of practice, the person fails to satisfy such obligation, the person again
10 shall be subject to repayments, including interest thereon, as otherwise
11 provided in this section.

12 (4) If, during the time a person is satisfying the service requirement
13 of an agreement entered into under this act, such person desires to engage
14 in less than the full-time practice of medicine and surgery within a service
15 commitment area of the state and remain in satisfaction of such service
16 requirement, such person may make application to the chancellor of the
17 university of Kansas or the designee of the chancellor for permission to
18 engage in less than such full-time practice of medicine and surgery. Upon
19 a finding of exceptional circumstances made by the chancellor of the
20 university of Kansas, or the designee of the chancellor, such person may
21 be authorized to engage in less than the full-time practice of medicine and
22 surgery within a service commitment area of the state for the remaining
23 required period of time under such agreement and for an additional period
24 of time which shall be equal to the length of the originally required period
25 of time multiplied by the decimal fraction which is equal to the reduction
26 of the full-time practice of medicine and surgery to be authorized
27 hereunder, multiplied by two. In any such determination of the period
28 required to be engaged in the less than full-time practice of medicine and
29 surgery, the decimal fraction utilized shall not exceed 0.5 and any person
30 granted permission to engage in less than the full-time practice of
31 medicine and surgery in accordance with the provisions of this paragraph
32 shall be required to engage in at least the half-time practice of medicine
33 and surgery.

34 (5) Any person who enters but fails to complete an approved
35 postgraduate residency training program, or who enters and completes an
36 approved postgraduate residency training program but fails to satisfy the
37 obligation to engage in the full-time practice of medicine and surgery
38 within a service commitment area of this state for the required period of
39 time shall be required to repay all money received pursuant to an
40 agreement entered into under this act ~~a~~ *for any such* medical student loan,
41 plus accumulated interest at an annual rate of 15%, and shall commence
42 such repayment in accordance with subsection (b) within 90 days of failure
43 to complete an approved postgraduate residency training program or 90

1 days of failure to commence qualifying practice, whichever occurs first.
2 ***Any person who fails to satisfy the obligation to engage in the full-time***
3 ***practice of medicine and surgery in accordance with this section due to***
4 ***active military service of such person or such person's spouse shall not***
5 ***be required to pay the 15% annual interest rate on any moneys received***
6 ***under such agreement.***

7 (6) *For any person who entered and completed an approved*
8 *postgraduate residency training program in obstetrics and gynecology, if*
9 *during the time such person is satisfying the service requirement of an*
10 *agreement entered into pursuant to this act, such person is employed by,*
11 *provides services at or establishes any clinic or facility as such terms are*
12 *defined in K.S.A. 65-4a01, and amendments thereto, or performs or*
13 *induces, or attempts to perform or induce, an abortion, except in the case*
14 *of a medical emergency as defined in K.S.A. 65-6701, and amendments*
15 *thereto, or in the case of a pregnancy resulting from rape or incest, such*
16 *person shall be deemed to have failed to complete such person's service*
17 *requirement and shall be required to repay all money received pursuant to*
18 *an agreement entered into under this act for any such medical student*
19 *loan, plus accumulated interest at an annual rate of 15%, and shall*
20 *commence such repayment in accordance with subsection (b).*

21 (b) For any repayment requirement under this section, the person
22 shall repay an amount totaling the entire amount to be repaid under all
23 such agreements for which such obligations are not satisfied, including all
24 amounts of interest at the rate prescribed. The repayment shall be made in
25 not more than 10 equal annual installment payments.

26 (c) All installment payments under this section shall commence six
27 months after the date of the action or circumstance that causes the failure
28 of the person to satisfy the obligations of such agreements, as determined
29 by the university of Kansas school of medicine based upon the
30 circumstances of each individual case. In all cases, if an installment
31 payment becomes 91 days overdue, the entire amount outstanding shall
32 become immediately due and payable, including all amounts of interest at
33 the rate prescribed.

34 (d) The total repayment obligation imposed under all agreements
35 entered into under this act may be satisfied by the person who entered into
36 the agreements at any time prior to graduation from the university of
37 Kansas school of medicine by making a single lump-sum payment equal to
38 the total of: (1) The entire amount to be repaid under all such agreements
39 upon failure to satisfy the obligations under such agreements to practice in
40 Kansas; plus (2) all amounts of interest thereon at the rate prescribed to the
41 date of payment.

42 (e) The university of Kansas school of medicine shall remit all
43 moneys received under this section to the state treasurer in accordance

1 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
2 receipt of each such remittance, the state treasurer shall deposit the entire
3 amount in the state treasury to the credit of the medical loan repayment
4 fund.

5 (f) There is hereby created in the state treasury the medical loan
6 repayment fund. All expenditures from the medical loan repayment fund
7 shall be for medical student loans under the medical student loan act and
8 for the expenses of administration of the medical student loan act and shall
9 be made in accordance with appropriation acts upon warrants of the
10 director of accounts and reports issued pursuant to vouchers approved by
11 the chancellor of the university of Kansas or by a person designated by the
12 chancellor, except that expenditures shall not be made from the medical
13 loan repayment fund for medical student loans for *medical students who*
14 *intend to enter and complete an approved postgraduate residency training*
15 *program in obstetrics and gynecology*, general psychiatry or child
16 psychiatry. On the effective date of this act, the director of accounts and
17 reports shall transfer all moneys in the medical scholarship and loan
18 repayment fund to the medical loan repayment fund. On the effective date
19 of this act, all liabilities of the medical scholarship and loan repayment
20 fund are hereby imposed on the medical loan repayment fund and the
21 medical scholarship and loan repayment fund is hereby abolished.
22 Whenever the medical scholarship and loan repayment fund, or words of
23 like effect, is referred to or designated by any statute, contract or other
24 document, such reference or designation shall be deemed to apply to the
25 medical loan repayment fund.

26 (g) There is hereby established in the state treasury the psychiatry
27 medical loan repayment fund. All moneys credited to the psychiatry
28 medical loan repayment fund shall be expended only for medical student
29 loans for general psychiatry or child psychiatry students under the medical
30 student loan act and for the expenses of administration of the medical
31 student loan act associated with such students. All expenditures from the
32 psychiatry medical loan repayment fund shall be made in accordance with
33 appropriation acts upon warrants of the director of accounts and reports
34 issued pursuant to vouchers approved by the chancellor of the university of
35 Kansas or the chancellor's designee.

36 (h) *There is hereby established in the state treasury the OBGYN*
37 *medical loan repayment fund. All moneys credited to the OBGYN medical*
38 *loan repayment fund shall be expended only for medical student loans for*
39 *medical students who intend to enter and complete an approved*
40 *postgraduate residency training program in obstetrics and gynecology*
41 *under the medical student loan act and for the expenses of administration*
42 *of the medical student loan act associated with such students. All*
43 *expenditures from the OBGYN medical loan repayment fund shall be made*

1 *in accordance with appropriation acts upon warrants of the director of*
 2 *accounts and reports issued pursuant to vouchers approved by the*
 3 *chancellor of the university of Kansas or the chancellor's designee.*

4 ~~(h)~~(i) Notwithstanding any other provision of law to the contrary, no
 5 moneys shall be transferred from the comprehensive grant program
 6 account of the state board of regents to the medical loan repayment fund,
 7 *the OBGYN medical loan repayment fund* or the psychiatry medical loan
 8 repayment fund or expended for any purposes related thereto.

9 **Sec. 6. K.S.A. 76-386 is hereby amended to read as follows: 76-386.**

10 **(a) An obligation to engage in the practice of medicine and surgery in**
 11 **accordance with an agreement under this act shall be postponed during**
 12 **any period of time for: (1) ~~During any Required period of active military~~**
 13 ***service of the person obligated or such person's spouse; (2) ~~during any~~***
 14 ***period of service as a part of volunteers in service to America (VISTA);***
 15 ***(3) ~~during any period of service in the peace corps; (4) ~~during any period~~~~***
 16 ***of service commitment to the United States public health service; (5)***
 17 ***~~during any period of religious missionary work conducted by an~~***
 18 ***organization exempt from tax under subsection (c) of section 501 of the***
 19 ***federal internal revenue code of 1986; ~~or (6) ~~during any period of~~~~***
 20 ***temporary medical disability during which the person obligated is***
 21 ***unable because of such medical disability to practice medicine and***
 22 ***surgery; or (7) not more than one year during which the person***
 23 ***participates in a healthcare-related fellowship program.***

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

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

38 ~~Sec. 4. 7. K.S.A. 76-387 is hereby amended to read as follows: 76-~~
 39 ~~387. (a) (1) There is hereby established the Kansas medical residency~~
 40 ~~bridging program at the university of Kansas school of medicine, which~~
 41 ~~shall be developed and implemented in order to provide encouragement,~~
 42 ~~opportunities and incentives for persons in ~~primary care or mental health~~~~
 43 ~~care to:~~

1 (A) Enter and complete medical residency training programs in
2 general pediatrics, general internal medicine, family medicine, family
3 practice, *obstetrics and gynecology*, general psychiatry or child psychiatry
4 that are operated by or affiliated with the university of Kansas school of
5 medicine or other such ~~primary care or mental health care~~ medical
6 residency training program that is operated in Kansas and approved by the
7 state board of healing arts; and a person under subsection (i) to

8 (B) locate their medical practice in rural Kansas communities upon
9 completion of such residency training.

10 (2) The Kansas medical residency bridging program shall be
11 administered by the institute for rural health care of the university of
12 Kansas school of medicine.

13 (b) Subject to the provisions of appropriation acts, the university of
14 Kansas school of medicine may enter into residency bridging loan
15 agreements, ~~in accordance with the provisions of this section:~~ (A) with any
16 person who has completed the first year of a ~~primary care or mental health~~
17 ~~care~~ medical residency training program in general pediatrics, general
18 internal medicine, family medicine, family practice, *obstetrics and*
19 *gynecology*, general psychiatry or child psychiatry that is operated by or
20 affiliated with the university of Kansas school of medicine or other such
21 ~~primary care or mental health care~~ medical residency training program that
22 is operated in Kansas and approved by the state board of healing arts; ~~and~~
23 ~~(B) with a person under subsection (i).~~

24 (c) Subject to the provisions of appropriation acts, each person
25 entering into a residency bridging loan agreement under this section shall
26 receive a payment of \$5,000 each year of ~~primary care or mental health~~
27 ~~care~~ medical residency training, or any part of a year of such training, after
28 the date that the residency bridging loan agreement is entered into by the
29 resident and the university of Kansas school of medicine and, upon
30 completion of the ~~primary care or mental health care~~ medical residency
31 training program, a payment of \$6,000.

32 (d) Each residency bridging loan agreement shall require that the
33 person receiving the loan:

34 (1) Complete the ~~primary care or mental health care~~ medical
35 residency training program;

36 (2) engage in the full-time practice of medicine and surgery in any
37 county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or
38 Wyandotte for three years under a practice commitment agreement;

39 (3) commence such full-time practice of medicine and surgery within
40 90 days after completing the ~~primary care or mental health care~~ medical
41 residency training program; and

42 (4) upon failure to satisfy the obligation to engage in the full-time
43 practice of medicine and surgery in accordance with the provisions of the

1 residency bridging loan agreement and this section, the person receiving
2 the loan under this section shall repay to the university of Kansas school of
3 medicine, within 90 days of such failure, the amount equal to the amount
4 of ~~money~~ *moneys* received by such person from the university of Kansas
5 school of medicine, less credits earned, under such agreement plus interest
6 at the annual rate of 15% from the date such ~~money~~ *moneys* were
7 received. ***Any person who fails to satisfy the obligation to engage in the***
8 ***full-time practice of medicine and surgery in accordance with this***
9 ***section due to active military service of such person or such person's***
10 ***spouse shall not be required to pay the 15% annual interest rate on any***
11 ***moneys received under such agreement.***

12 (e) An obligation to engage in the practice of medicine and surgery in
13 accordance with the provisions of a residency bridging loan agreement and
14 this section shall be postponed during: (1) Any period of temporary
15 medical disability during which the person obligated is unable to practice
16 medicine and surgery because of such medical disability; ***(2) any period of***
17 ***not more than one year during which the person participates in a***
18 ***healthcare-related fellowship program; (3) any required period of active***
19 ***military service of the person obligated or such person's spouse;*** or ~~(2)~~
20 ***(4) any other period of postponement agreed to or determined in***
21 ***accordance with criteria agreed to in the practice commitment agreement.***

22 (f) *Except as otherwise provided in subsection (g), an obligation to*
23 *engage in the practice of medicine and surgery in accordance with the*
24 *provisions of a residency bridging loan agreement and this section shall be*
25 *satisfied: (1) If the obligation to engage in the practice of medicine and*
26 *surgery in accordance with such agreement has been completed; (2) if the*
27 *person obligated dies; or (3) if, because of permanent physical disability,*
28 *the person obligated is unable to practice medicine and surgery.*

29 (g) *For any person who completed a medical residency training*
30 *program in obstetrics and gynecology pursuant to this section, such*
31 *person's obligation to engage in the practice of medicine and surgery in*
32 *accordance with the provisions of a residency bridging loan agreement*
33 *and this section shall be deemed to not be satisfied if such person is*
34 *employed by, provides services at or establishes any clinic or facility as*
35 *such terms are defined in K.S.A. 65-4a01, and amendments thereto, or*
36 *performs or induces, or attempts to perform or induce, an abortion, except*
37 *in the case of a medical emergency as defined in K.S.A. 65-6701, and*
38 *amendments thereto, or in the case of a pregnancy resulting from rape or*
39 *incest, at any time in which such person is obligated to satisfy the*
40 *provisions of such person's loan agreement made pursuant to this section.*

41 ~~(g)~~(h) The university of Kansas school of medicine may adopt
42 additional provisions, requirements or conditions for participation in the
43 Kansas medical residency bridging program as are practicable and

1 appropriate to accomplish the purposes of the program or as may be
2 required for the implementation or administration of the program and, in
3 any case, as are not inconsistent with the provisions of this section or the
4 provisions of appropriation acts.

5 ~~(h)~~(i) As used in this section, "practice commitment agreement"
6 means an agreement to commence the full-time practice of medicine and
7 surgery in a city located in any county in Kansas other than Douglas,
8 Johnson, Sedgwick, Shawnee or Wyandotte county, that:

9 (1) Was entered into: ~~(A)~~ by a person in a ~~primary care or mental~~
10 ~~health care~~ *medical* residency training program in general pediatrics,
11 general internal medicine, family medicine, family practice, *obstetrics and*
12 *gynecology*, general psychiatry or child psychiatry, that is operated by or
13 affiliated with the university of Kansas school of medicine or other such
14 ~~primary care or mental health care~~ *medical* residency training program that
15 is operated in Kansas and approved by the state board of healing arts; ~~or~~
16 ~~(B)~~ by a person under subsection (i), with the city where such practice is to
17 commence or another contracting entity other than the university of
18 Kansas school of medicine that is representative of the interests of such
19 city; and

20 (2) provides benefits to such person that have an aggregate monetary
21 value equal to or greater than the aggregate amount of payments to such
22 person from the university of Kansas school of medicine under a residency
23 bridging loan agreement under this section.

24 ~~(i) A person who graduated from the university of Kansas school of~~
25 ~~medicine prior to July 1, 1992, who has completed the first year of a~~
26 ~~primary care residency training program in family practice which is~~
27 ~~operated outside the state of Kansas and who has entered into a practice~~
28 ~~commitment agreement with the north central Kansas health care~~
29 ~~foundation is eligible to enter into a residency bridging loan agreement~~
30 ~~under this section.~~

31 (j) Notwithstanding any other provision of law to the contrary, no
32 moneys appropriated for the Kansas medical residency bridging program
33 at the university of Kansas school of medicine, except moneys
34 appropriated to the *OBGYN medical residency bridging fund* or the rural
35 health bridging psychiatry fund, shall be expended for residency bridging
36 loan agreements for medical residents training in *obstetrics and*
37 *gynecology*, general psychiatry or child psychiatry.

38 (k) Subject to appropriations, the university of Kansas school of
39 medicine shall enter into residency bridging loan agreements with three
40 medical residents training in general psychiatry or child psychiatry.

41 (l) There is hereby established in the state treasury the rural health
42 bridging psychiatry fund. All moneys credited to the rural health bridging
43 psychiatry fund shall be used only for purposes related to residency

1 bridging loan agreements for medical residents training in general
2 psychiatry or child psychiatry pursuant to ~~K.S.A. 76-387, and amendments~~
3 ~~thereto~~ *this section*. All expenditures from the rural health bridging
4 psychiatry fund shall be made in accordance with appropriation acts upon
5 warrants of the director of accounts and reports issued pursuant to
6 vouchers approved by the chancellor of the university of Kansas or the
7 chancellor's designee.

8 *(m) There is hereby established in the state treasury the OBGYN*
9 *medical residency bridging fund. All moneys credited to the OBGYN*
10 *medical residency bridging fund shall be used only for purposes related to*
11 *residency bridging loan agreements for medical residents training in*
12 *obstetrics and gynecology pursuant to this section. All expenditures from*
13 *the OBGYN medical residency bridging fund shall be made in accordance*
14 *with appropriation acts upon warrants of the director of accounts and*
15 *reports issued pursuant to vouchers approved by the chancellor of the*
16 *university of Kansas or the chancellor's designee.*

17 ~~(m)~~*(n)* Notwithstanding any other provision of law to the contrary, no
18 moneys shall be transferred from the comprehensive grant program
19 account of the state board of regents to the rural health bridging psychiatry
20 fund *or the OBGYN medical residency bridging fund* or expended for any
21 purposes related to the Kansas medical residency bridging program.

22 ~~Sec.-5.~~ **8.** K.S.A. ~~74-3265, 74-3268,~~ 76-381, 76-383, 76-385, ~~76-386,~~
23 76-386a and 76-387 are hereby repealed.

24 ~~Sec.-6.~~ **9.** This act shall take effect and be in force from and after its
25 publication in the statute book.