

## HOUSE BILL No. 2638

By Representatives Xu and Lynn

2-12

1 AN ACT concerning the university of Kansas school of medicine; relating  
2 to the medical student loan program; medical residency bridging  
3 program; loan assistance; promoting the practice of obstetrics and  
4 gynecology in medically underserved areas; amending K.S.A. 76-381,  
5 76-383 and 76-387 and repealing the existing sections; also repealing  
6 K.S.A. 76-386a.

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. K.S.A. 76-381 is hereby amended to read as follows: 76-  
10 381. As used in K.S.A. 76-380 through 76-386, and amendments thereto:

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

12 (b) "approved postgraduate residency training program" means a  
13 residency training program in general pediatrics, general internal  
14 medicine, family medicine, family practice, emergency medicine,  
15 *obstetrics and gynecology*, general psychiatry, child psychiatry or  
16 fellowship training in geriatric medicine;

17 (c) "service commitment area" means: (1) Any community within any  
18 county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or  
19 Wyandotte county; (2) any state medical care facility or institution; (3) any  
20 medical center operated by the veterans administration of the United  
21 States; ~~(4) the full-time faculty of the university of Kansas school of~~  
22 ~~medicine in family medicine, family practice, general psychiatry or child~~  
23 ~~psychiatry if serving as full-time faculty as provided in K.S.A. 76-384(c),~~  
24 *and amendments thereto*; or (5) any community within Wyandotte county  
25 for purposes of any practice obligation under an agreement entered into by  
26 a person who is enrolled for the first time after July 1, 2004, in a course of  
27 study leading to the medical degree; and

28 (d) "state medical care facility or institution" includes, but is not  
29 limited to, the Kansas state school for the visually handicapped, the  
30 Kansas state school for the deaf, any institution under the secretary for  
31 aging and disability services, as defined by K.S.A. 76-12a01, and  
32 amendments thereto, any institution ~~under the commissioner of juvenile~~  
33 ~~justice~~ as defined by K.S.A. 2019 Supp. 38-2302, and amendments  
34 thereto, the Kansas soldiers' home, the Kansas veterans' home and any  
35 correctional institution under the secretary of corrections, as defined by  
36 K.S.A. 75-5202, and amendments thereto, but shall not include any state

1 educational institution under the state board of regents, as defined by  
2 K.S.A. 76-711, and amendments thereto, except as specifically provided  
3 by statute.

4 Sec. 2. K.S.A. 76-383 is hereby amended to read as follows: 76-383.  
5 A medical student loan agreement entered into by the university of Kansas  
6 school of medicine and an undergraduate student enrolled in or admitted to  
7 the university of Kansas school of medicine in a course of instruction  
8 leading to the degree of doctor of medicine for the purpose of receiving a  
9 medical student loan under this act shall require that the person receiving  
10 the loan:

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

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

16 (c) *except as otherwise provided in K.S.A. 76-384, and amendments*  
17 *thereto*, engage in the full-time practice of medicine and surgery for a  
18 period of 12 months within a service commitment area, ~~except as~~  
19 ~~otherwise provided in K.S.A. 76-384(e), and amendments thereto, for~~  
20 ~~service as a full-time faculty member of the university of Kansas school of~~  
21 ~~medicine in family medicine, family practice, general psychiatry or child~~  
22 ~~psychiatry;~~

23 (d) commence such full-time practice of medicine and surgery within  
24 nine months after completion of an approved postgraduate residency  
25 training program and licensure in a service commitment area and continue  
26 such full-time practice in such service commitment area for a consecutive  
27 period of months equal to the total number of months required under the  
28 agreement;

29 (e) agree that the service commitment for each agreement entered into  
30 under this act is in addition to the service commitment contained in any  
31 other agreement ~~which~~ *that* has been or may be entered into under this act  
32 for the purpose of obtaining a medical student loan or under other  
33 agreements for the purpose of obtaining scholarship aid;

34 (f) maintain records and make reports to the university of Kansas  
35 school of medicine to document the satisfaction of the obligation under  
36 such agreement to engage in the full-time practice of medicine and surgery  
37 within a service commitment area and to continue such full-time practice  
38 in such service commitment area for a consecutive period of months equal  
39 to the total number of months required under the agreement; and

40 (g) upon failure to satisfy an agreement to engage in the full-time  
41 practice of medicine and surgery within a service commitment area for the  
42 required period of time under any such agreement, the person receiving a  
43 medical student loan under this act shall repay amounts to the university of

1 Kansas school of medicine as provided in K.S.A. 76-385, and amendments  
2 thereto.

3 Sec. 3. K.S.A. 76-387 is hereby amended to read as follows: 76-387.

4 (a) (1) There is hereby established the Kansas medical residency bridging  
5 program at the university of Kansas school of medicine, which shall be  
6 developed and implemented in order to provide encouragement,  
7 opportunities and incentives for persons in ~~primary care or mental health~~  
8 ~~care to:~~

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

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

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

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

32 (c) Subject to the provisions of appropriation acts, each person  
33 entering into a residency bridging loan agreement under this section shall  
34 receive a payment of \$5,000 each year of ~~primary care or mental health~~  
35 ~~care~~ *medical* residency training, or any part of a year of such training, after  
36 the date that the residency bridging loan agreement is entered into by the  
37 resident and the university of Kansas school of medicine and, upon  
38 completion of the ~~primary care or mental health care~~ *medical* residency  
39 training program, a payment of \$6,000.

40 (d) Each residency bridging loan agreement shall require that the  
41 person receiving the loan:

42 (1) Complete the ~~primary care or mental health care~~ *medical*  
43 residency training program;

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

4 (3) commence such full-time practice of medicine and surgery within  
5 90 days after completing the ~~primary care or mental health care~~ *medical*  
6 residency training program; and

7 (4) upon failure to satisfy the obligation to engage in the full-time  
8 practice of medicine and surgery in accordance with the provisions of the  
9 residency bridging loan agreement and this section, the person receiving  
10 the loan under this section shall repay to the university of Kansas school of  
11 medicine, within 90 days of such failure, the amount equal to the amount  
12 of ~~money~~ *moneys* received by such person from the university of Kansas  
13 school of medicine, less credits earned, under such agreement plus interest  
14 at the annual rate of 15% from the date such ~~money was~~ *moneys were*  
15 received.

16 (e) An obligation to engage in the practice of medicine and surgery in  
17 accordance with the provisions of a residency bridging loan agreement and  
18 this section shall be postponed during: (1) Any period of temporary  
19 medical disability during which the person obligated is unable to practice  
20 medicine and surgery because of such medical disability; or (2) any other  
21 period of postponement agreed to or determined in accordance with  
22 criteria agreed to in the practice commitment agreement.

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

30 (g) The university of Kansas school of medicine may adopt additional  
31 provisions, requirements or conditions for participation in the Kansas  
32 medical residency bridging program as are practicable and appropriate to  
33 accomplish the purposes of the program or as may be required for the  
34 implementation or administration of the program and, in any case, as are  
35 not inconsistent with the provisions of this section or the provisions of  
36 appropriation acts.

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

41 (1) Was entered into: ~~(A)~~ by a person in a ~~primary care or mental~~  
42 ~~health care~~ *medical* residency training program in general pediatrics,  
43 general internal medicine, family medicine, family practice, *obstetrics and*

1 *gynecology*, general psychiatry or child psychiatry, that is operated by or  
 2 affiliated with the university of Kansas school of medicine or other such  
 3 ~~primary care or mental health care~~ *medical* residency training program that  
 4 is operated in Kansas and approved by the state board of healing arts; ~~or~~  
 5 ~~(B) by a person under subsection (i)~~, with the city where such practice is to  
 6 commence or another contracting entity other than the university of  
 7 Kansas school of medicine that is representative of the interests of such  
 8 city; and

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

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

20 ~~(j)(i)~~ Notwithstanding any other provision of law to the contrary, no  
 21 moneys appropriated for the Kansas medical residency bridging program  
 22 at the university of Kansas school of medicine, except moneys  
 23 appropriated to the rural health bridging psychiatry fund, shall be  
 24 expended for residency bridging loan agreements for medical residents  
 25 training in general psychiatry or child psychiatry.

26 ~~(k)(j)~~ Subject to appropriations, the university of Kansas school of  
 27 medicine shall enter into residency bridging loan agreements with three  
 28 medical residents training in general psychiatry or child psychiatry.

29 ~~(l)(k)~~ There is hereby established in the state treasury the rural health  
 30 bridging psychiatry fund. All moneys credited to the rural health bridging  
 31 psychiatry fund shall be used only for purposes related to residency  
 32 bridging loan agreements for medical residents training in general  
 33 psychiatry or child psychiatry pursuant to K.S.A. 76-387, and amendments  
 34 ~~thereto~~ *this section*. All expenditures from the rural health bridging  
 35 psychiatry fund shall be made in accordance with appropriation acts upon  
 36 warrants of the director of accounts and reports issued pursuant to  
 37 vouchers approved by the chancellor of the university of Kansas or the  
 38 chancellor's designee.

39 ~~(m)(l)~~ Notwithstanding any other provision of law to the contrary, no  
 40 moneys shall be transferred from the comprehensive grant program  
 41 account of the state board of regents to the rural health bridging psychiatry  
 42 fund or expended for any purposes related to the Kansas medical residency  
 43 bridging program.

1       Sec. 4. K.S.A. 76-381, 76-383, 76-386a and 76-387 are hereby  
2 repealed.

3       Sec. 5. This act shall take effect and be in force from and after its  
4 publication in the statute book.