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SENATE BILL 133

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Gerald Ortiz y Pino

AN ACT

RELATING TO HEALTH; AMENDING SECTIONS OF THE RURAL PRIMARY
HEALTH CARE ACT TO CREATE A CLINICIAN LOAN REPAYMENT PROGRAM;
MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 24-1A-1 NMSA 1978 (being Laws 1981,
Chapter 295, Section 1) is amended to read:

"24-1A-1. SHORT TITLE.--~~[This act]~~ Chapter 24, Article 1A
NMSA 1978 may be cited as the "Rural Primary Health Care Act"."

SECTION 2. Section 24-1A-3 NMSA 1978 (being Laws 1981,
Chapter 295, Section 3, as amended) is amended to read:

"24-1A-3. DEFINITIONS.--As used in the Rural Primary
Health Care Act:

A. "health care underserved areas" means a
geographic area in which it has been determined by the

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1 department [~~of health~~], through the use of indices and other
2 standards set by the department, that sufficient primary health
3 care is not being provided to the citizens of that area;

4 B. "eligible programs" means nonprofit community-
5 based entities that provide or commit to provide primary health
6 care services for residents of health care underserved areas
7 and includes rural health facilities and those serving
8 primarily low-income populations;

9 C. "department" means the department of health;
10 [~~and~~]

11 D. "eligible clinician" means:

- 12 (1) a medical doctor;
- 13 (2) an osteopathic physician;
- 14 (3) a physician assistant;
- 15 (4) a dentist;
- 16 (5) a dental hygienist;
- 17 (6) a dental therapist;
- 18 (7) a psychologist;
- 19 (8) an independent social worker;
- 20 (9) a master social worker;
- 21 (10) an art therapist;
- 22 (11) a licensed professional mental health
23 counselor;
- 24 (12) a licensed clinical professional mental
25 health counselor;

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- 1 (13) an alcohol and drug abuse counselor;
- 2 (14) a substance abuse associate;
- 3 (15) a marriage and family therapist; or
- 4 (16) an associate marriage and family
- 5 therapist;

6 E. "loan repayment program" means a program to
7 provide a loan repayment incentive for eligible programs to
8 recruit and hire eligible clinicians in accordance with the
9 provisions of Subsection A of Section 24-1A-3.1 NMSA 1978; and

10 ~~[D-]~~ F. "primary health care" means the first level
11 of basic or general health care for an individual's health
12 needs, including diagnostic and treatment services."

13 SECTION 3. Section 24-1A-3.1 NMSA 1978 (being Laws 1983,
14 Chapter 236, Section 3, as amended) is amended to read:

15 "24-1A-3.1. DEPARTMENT--TECHNICAL AND FINANCIAL
16 ASSISTANCE.--To the extent funds are made available for the
17 purposes of the Rural Primary Health Care Act, the department
18 is authorized to:

19 A. provide for a program to recruit ~~[and retain~~
20 ~~health care personnel in]~~ eligible clinicians for health care
21 underserved areas through the creation of a loan repayment
22 program pursuant to which, in accordance with department rules:

- 23 (1) the department commits funding to allow
- 24 eligible programs to provide a loan repayment incentive to
- 25 eligible clinicians that the eligible programs seek to recruit

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1 and hire;

2 (2) the department awards loan repayment funds
3 to eligible clinicians who are newly hired employees of
4 eligible programs; and

5 (3) the department remits loan repayment
6 payments directly to educational lenders on behalf of the newly
7 hired employees of eligible programs;

8 B. develop plans for and coordinate the efforts of
9 other public and private entities assisting in the provision of
10 primary health care services through eligible programs;

11 C. provide for technical assistance to eligible
12 programs in the areas of administrative and financial
13 management, clinical services, outreach and planning;

14 D. provide for distribution of financial assistance
15 to and on behalf of eligible programs that have applied for and
16 demonstrated a need for assistance in order to sustain a
17 minimum level of delivery of primary health care services and
18 recruit eligible clinicians under the loan repayment program;
19 and

20 E. provide a program for enabling the development
21 of new primary care health care services or facilities, and
22 that program:

23 (1) shall give preference to communities that
24 have few or no community-based primary care services;

25 (2) may require in-kind support from local

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1 communities where primary care health care services or
2 facilities are established;

3 (3) may require primary care health care
4 services or facilities to assure provision of health care to
5 the medically indigent; and

6 (4) shall permit the implementation of
7 innovative and creative uses of local or statewide health care
8 resources, or both, other than those listed in Paragraphs (2)
9 and (3) of this subsection."

10 SECTION 4. Section 24-1A-4 NMSA 1978 (being Laws 1981,
11 Chapter 295, Section 4, as amended) is amended to read:

12 "24-1A-4. RULES ~~[AND REGULATIONS]~~.--Subject to the State
13 Rules Act, the department shall adopt rules ~~[and regulations]~~
14 for recruiting ~~[health care personnel in]~~ eligible clinicians
15 for health care underserved areas and shall establish a formula
16 for distribution of financial assistance to eligible programs
17 ~~[which]~~ that shall take into account the relative needs of
18 applicants for assistance; provided that funds may not be
19 expended for land or facility acquisition or debt amortization;
20 and further provided that a local match of ten percent shall be
21 required from each local recipient for each request for
22 assistance."

23 SECTION 5. APPROPRIATION.--Three million dollars
24 (\$3,000,000) is appropriated from the general fund to the
25 department of health for expenditure in fiscal years 2020 and

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1 2021 to fund the department's provision of loan repayment
2 assistance for the recruitment and hiring of eligible
3 clinicians in accordance with the provisions of Section
4 24-1A-3.1 NMSA 1978. Any unexpended or unencumbered balance
5 remaining at the end of fiscal year 2021 shall revert to the
6 general fund.

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