TITLE 540. PHYSICIAN MANPOWER TRAINING COMMISSION
CHAPTER 35. COMMUNITY MATCH INTERN RESIDENT PROGRAM

RULEMAKING ACTION:
PERMANENT final adoption

RULES:
540:35-1-3 [AMENDED]
540:35-1-4 [AMENDED]
540:35-1-5 [AMENDED]
540:35-1-7 [AMENDED]

AUTHORITY:
PHYSICIAN MANPOWER TRAINING COMMISSION; 70 O.S., § 625.13.

SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:

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FINAL ADOPTION:

EFFECTIVE:
Immediately upon Governor's approval or October 1, 2019, whichever is later.

SUPERSEDED EMERGENCY ACTIONS:

Superseded rules:
540:35-1-3 [AMENDED] Power to grant loans
540:35-1-4 [AMENDED] Terms and conditions of loans
540:35-1-5 [AMENDED] Eligibility and amount
540:35-1-7 [AMENDED] Repayment of loans

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INCORPORATIONS BY REFERENCE:
n/a
GIST/ANALYSIS:
The revisions to Chapter 35 serve to reflect changes to funding available for the Community Match Intern Resident Program for fiscal year 2019 (70 O.S., § 625.13). This change was voted on by the Commission to be effective for fiscal year 2019. Emergency request is necessary to implement these changes for the current FY19 award period providing for additional support to place physicians in rural Oklahoma.

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PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., § 235(F) AND EFFECTIVE DATE OF :

540:35-1-3. Power to grant loans
The Physician Manpower Training Commission shall be authorized and empowered to grant loans to qualified individuals who have completed a degree of Doctor of Medicine or Doctor of Osteopathic Medicine, and who have completed an intern/residency program in a primary care specialty (Family Practice, General Practice, Internal Medicine, Pediatrics, OB/GYN, Emergency Medicine, or General Surgery), or other specialty as approved by the Commission on an individual basis. The loans shall be provided through participation with communities considered by the Physician Manpower Training Commission to be medically underserved. Priority shall be given to underserved rural communities with a population of less than 10,000, which qualify under the current rules approved by the Commission and State Legislature. Assistance shall be on a matching basis between state (60%) and community (40%) (50%–50%). The Physician Manpower Training Commission shall reserve the right to disapprove an application.

540:35-1-4. Terms and conditions of loans
(a) Recipients shall agree to practice medicine in the specific community for a minimum of three years for a $50,000 loan, or two years for a $30,000 loan. Communities shall deposit the funds with the Physician Manpower Training Commission to be administered and matched by the Commission.
(b) The procedures, terms and conditions governing the loans and how they are administered shall be as prescribed and formulated by the Physician Manpower Training Commission but shall include the following:
(1) Eligible communities desiring to participate in the Oklahoma Community Match Intern Resident Program, shall
select an individual who meets the requirements for participating and give notice to the Commission.

(2) The Commission shall aid and advise communities in the selection of qualified individuals to participate in a given community loan program.

(3) The communities shall deposit their total share, \(40\%\) \(50\%\), of the loan with the Commission a minimum of 30 days prior to the participating physician's initial practice date in the community.

(4) The Commission shall review and approve the selection of a given individual and then (based on availability of funds) match community funds with the state funds from the Oklahoma Community Match Intern Resident Program in the amount agreed upon by the participating physician, the Commission, and the community in each particular case, within limits prescribed by the Commission.

(c) The Contract shall provide that in the event the recipient breaches the terms of the contract by not serving the designated community for the specified period of time, he/she shall pay liquidated damages in an amount determined by the Commission and representing a reasonable estimate of the damage or loss to the community or the state. Said damages shall not exceed one hundred percent (100%) of the principal. After payment of the liquidated damages, repayment of the principal and interest shall be made as agreed upon by the Commission and the recipient.

540:35-1-5. Eligibility and amount

(a) An applicant may be eligible for the Community Match Intern Resident Program when the following conditions are met:

(1) That the physician has not previously received Physician Manpower Training Commission money, either through the Oklahoma Rural Medical Education Scholarship Loan Program, the Community Match Intern Resident Program, the Community Physician Education Scholarship Loan Program, or the Family Practice/General Practice Resident Rural Scholarship Program.

(2) That he/she has successfully completed an accredited medical or osteopathic college and an approved internship or residency program in a primary care specialty (Family Practice, General Practice, Internal Medicine, Pediatrics, OB/GYN, General Surgery or Emergency Medicine) or other specialties as approved by the Commission on an individual basis.

(3) That he/she desires to practice medicine in a specific Oklahoma community which participates in the "matching" program.
(4) That he/she submits proof which states that he/she has not accepted or will not accept any other assistance which has a conflicting service obligation requirement.
(5) That the physician possesses a valid license to practice medicine in the State of Oklahoma at the time he/she actually receives the matching funds.
(6) That the physician has conformed to requirements stipulated in the contract.

(b) The amount of each loan shall not exceed Fifty ($50,000) Forty ($40,000) Thousand Dollars.

(c) The method of payment of funds to each recipient will be in lump sum by the Commission, payable upon the recipient's beginning his/her practice in the applicable community, providing that said recipient has met requirements stipulated in the contract.

540:35-1-7. Repayment of loans
(a) Each recipient shall repay the loan to the state and to the community by practicing medicine in the community in Oklahoma providing the initial funds at a minimum of two years for Twenty Thirty Thousand Dollars ($30,000) or three years for Forty Fifty Thousand Dollars ($50,000) which the community and the state have jointly financed for the recipient; provided, however, that the recipient will be given no credit for payment, repayment and reduction of said obligation to the community and the state by serving the given community for a period of less than one year.
(b) Repayment of the total amount of the loan, plus principal, interest, litigation charges, and liquidated damages as assessed by the Physician Manpower Training Commission, upon failure of the recipient to fulfill his/her contractual obligations, shall be made to the state fund. This loan repayment will be shared with the participating community in accordance with the percentage and total amounts contributed by the state and by the community to the matching fund program and in accordance with the provisions of the contract requirements delineated by the Physician Manpower Training Commission.
(c) Monies received by the Commission in repayment of loans granted from appropriated funds shall be deposited with the State Treasurer who shall place the same to the credit of the Commission in a depository fund. All monies so collected and deposited in the State Treasury as aforesaid shall not be subject to fiscal limitations, and the unexpended balance shall at all times be available for expenditures for the purposes and in the manner and form provided by this act. All funds and property, and income therefrom, received by the Commission through the acceptance of gifts, grants, bequests, or devise shall be held by the Commission in trust and may be sold, transferred, invested and reinvested by the Commission in
accordance with the provisions of the Oklahoma Trust Act, and all such funds and property and income therefrom shall be used by the Commission in fulfilling and accomplishing the conditions and purposes of the program.