RULEMAKING ACTION:
PERMANENT final adoption
RULES:
540:50-1-1 [AMENDED]
540:50-1-2 [AMENDED]
540:50-1-3 [AMENDED]
540:50-1-4 [AMENDED]
540:50-1-5 [AMENDED]
540:50-1-6 [AMENDED]
540:50-1-7 [AMENDED]
540:50-1-8 [AMENDED]

AUTHORITY:

SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:

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APPROVED BY GOVERNOR'S DECLARATION:

FINAL ADOPTION:

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

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n/a

Gubernatorial approval:
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INCORPORATIONS BY REFERENCE:
n/a
GIST/ANALYSIS:

The revisions to Chapter 50 serve to comply with changes made to the Oklahoma Medical Loan Repayment Program (OMLRP) by the legislature. The OMLRP will now be available to physician assistants in addition to physicians, beginning November 1, 2018. The amendments to the rules ensure that physician assistants will be able to participate in the program beginning November 1, 2018, in accordance with the intent of the Legislature in making changes to the OMLRP (H.B. 2987) and ensure consistency with the authorizing statute. The amendments to the rules also correct statutory references.

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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 :

540:50-1-1. Purpose
The purpose of the Oklahoma Physician and Physician Assistant Loan Repayment Programs (OMPLRP) (PLRP) and (PALRP) is to provide financial assistance to physicians and physician assistants in repaying educational loans when they elect to provide health care in rural and underserved areas of Oklahoma. The Programs, depending upon and limited to available funding, shall provide educational loan repayment assistance to Oklahoma licensed primary care physicians and physician assistants who agree to establish a practice in a community located in Oklahoma approved by the Commission. [63:1-2721(A)(3)(5)]

540:50-1-2. Statutory administration
The Physician Manpower Training Commission shall administer the Oklahoma Medical Loan Repayment Program. [63:1-2721(A)(1)] The Oklahoma Medical Loan Repayment Program shall be administered by the Physician Manpower Training Commission pursuant to rules promulgated by the Commission and shall be funded based on an annual estimate of need as determined by the Commission and the actual funds available to the Program for expenditure. The Oklahoma Medical Loan Repayment Program shall be administered by the Physician Manpower Training Commission pursuant to rules promulgated by the Commission and shall be funded based on an annual estimate of need as determined by the Commission and the actual funds available to the Program for expenditure. [Source: Added at 29 Ok Reg 893, eff 7-1-12 (emergency); Added at 30 Ok Reg 858, eff 6-14-13]
540:50-1-3. Terms and conditions of loans
(a) The terms and conditions governing the Programs shall be as prescribed and formulated by the Physician Manpower Training Commission. The physician or physician assistant shall agree to practice in the designated need areas identified by the Commission for no fewer than two (2) consecutive years as a condition of the loan repayment. If the physician or physician assistant does not fulfill the service obligation, or doesn’t comply with the reporting requirements, the Commission may discontinue the payments beginning with the current year, and may remove the physician or physician assistant from the Program. the Commission may collect from the participant the entire amount of loan payments made under the Program plus interest. [63:1-2721(D) The contract shall specify that in case of default the physician shall be required to repay all funds that they received plus interest that equals the prime rate plus one percent (1%).]
(b) Physicians and physician assistants must submit proof that they are not currently obligated, and will not become obligated, to any other repayment program that has a conflicting service obligation.

540:50-1-4. Eligibility
(a) A physician or physician assistant shall be eligible to participate in the OMLRP PLRP or PALRP if the physician or physician assistant:
   (1) Is licensed to practice medicine in Oklahoma;
   (2) Is a new primary care residency graduate/Physician Assistant school graduate; or
   (3) Is a current practicing physician or physician assistant and has met criteria established by the Commission. [63:1-2721(C)(1-3)]
   (4) Agree to provide medical care and services to Medicaid and Medicare recipients as authorized by the Oklahoma Health Care Authority [63: -12721(B)]
(b) "Primary care physicians and physician assistant" shall mean physicians and physician assistants practicing in family medicine, geriatrics, general internal medicine, general pediatrics, obstetrics/gynecology, or emergency medicine. [63:1-2721 (A)(2)]

540:50-1-5. Amount and method of payment
(a) Physicians and physician assistants would have to provide documentation of legitimate educational debt in the amount of $160,000/$60,000 or above to receive the maximum amount available. If total debt is less than $160,000/$60,000 a
contract would be tailored, on a prorated basis, to provide an amount not to exceed legitimate educational debt of the physician or physician assistant. Prior to any disbursement, the Commission shall certify and properly review reports submitted by the participating physician or physician assistant detailing performance of activities in accordance with the Program. [63:1-2721(4)] [63:1-2721(A)(6)]

(b) Maximum amounts of financial assistance: first year $25,000/$10,000; second year $35,000/$15,000; third year $45,000/$20,000; and fourth year $55,000 for physicians only. Payments would be made after the physician or physician assistant completed the first year and on each anniversary thereafter, up to a maximum of four years. The Commission shall review the performance in the Program of the participating physician or physician assistant and determine whether an award may be granted for additional years pursuant to rules. Physicians would be required to sign on to the Program for a minimum of two years. At the conclusion of an initial two-year period, the Commission shall review the performance in the Program of the participating physician and determine whether an award may be granted for additional years pursuant to rules. [63:1-2721(A)(7)] [63:1-2721(5)]

540:50-1-6. Procedures for administering loans

The Commission shall promulgate and adopt procedures as may be necessary to carry out the administration of the program. The Commission shall delineate the following procedures:

1. **Promulgation of information concerning loans.** Every reasonable effort shall be made to contact all eligible physicians or physician assistants concerning the availability of the program. Preference will be given to graduates of the primary care residency programs affiliated with the Oklahoma State University of College of Osteopathic Medicine, the University of Oklahoma College of Medicine and the teaching hospitals affiliated with both schools of medicine and teaching health centers located in this state [63:1-2721(C)(2)]

2. **Applications.** All interested physicians or physician assistants shall file an application with the Physician Manpower Training Commission. This application can be submitted at any time during the year. Applications are available at www.pmtc.ok.gov and in the office of the Physician Manpower Training Commission.

3. **Approval by the Commission.** Applications shall be submitted to the Commission for approval at any regular Commission meeting. Applications will be reviewed in the order they are received and will be approved or denied as determined by the Commission.
(4) **Renewal of contracts.** The original contract shall be guaranteed for the initial year, and renewed each anniversary thereafter contingent upon available funding.

**540:50-1-7. Repayment by practice or repayment of monies received**

(a) Each physician or physician assistant shall repay the financial assistance received by practicing full time in an approved community in Oklahoma. The period shall begin on the date the physician or physician assistant begins to practice in the approved community.
(b) Repayment of the total amount received, plus interest, and litigation costs as assessed by the Commission, upon failure of the physician or physician assistant to fulfill the contractual obligations, shall be made payable to the Commission.

**540:50-1-8. Applicant contracts**

(a) Each physician or physician assistant shall enter into a contract with the Commission agreeing to the terms and conditions upon which financial assistance shall be granted to the physician or physician assistant.
(b) The physician or physician assistant shall fulfill their contractual obligation to a qualifying community as outlined in the original contract.
(c) The contract shall include such terms and provisions as will carry out the full purpose and intent of the Program, and shall be in a form prepared and approved by the Attorney General.
(d) The contract shall be signed by the Executive Director on behalf of the Commission, and by the applicant. In the event the applicant is married, the contract shall also be cosigned by the applicant's spouse.
(e) The Commission may file suit against any physician, and cosigner if applicable, for any balance due the Commission on any contract. The Commission may cancel any contract made between it and any physician or physician assistant upon cause deemed sufficient by the Commission.
(f) The Commission shall maintain copies of the contracts in its offices.