

**Physician Manpower Training Commission
Commission Meeting
February 13, 2020, 10:00 a.m.**

MINUTES

The Board of Physician Manpower Training Commission met at 10:00 a.m., on Thursday, February 13, 2020, in the conference room on the ninth floor of the Commissioners of the Land Office, 204 North Robinson, Suite 900, Oklahoma City, Oklahoma. Notice of the meeting date had been properly filed with the Secretary of State, and a copy of the notice and agenda was posted by Tuesday, February 11th by 10:00 a.m., in prominent public view at the location of the meeting and on the Commission website, www.pmtc.ok.gov in compliance with the Open Meeting Act.

Commission Members Present

Pam Spanbauer, Chair
Jack Beller, MD
Kevin Khoury
Joe Leverett, MD
Bruce Storms, MD

Commission Members Absent

Zane DeLaughter, DO
Jason Hill, DO

PMTC Staff Present

Janie Thompson
Michelle Cecil
Aneesa Sharp
Diane Mickelson
Dana Morphew

Guests

Richard M. Bryant, PhD, OU College of Medicine – Tulsa
Steven Crawford, MD, OU OKC
Elisa A. Crouse, MD
DeLynn Fudge, TSET
Gary Slick, DO, OSU
Lana Ivy, Oklahoma Osteopathic Association
Jane Nelson
William J. Pettit, DO, OSU
Brian Wilson
John Zubialde, MD
Joe Ashbaker, Assistant Attorney General
LeRoy Young, DO, OSU
Lesley VanVolkingburg, OSU
Matt Robison, OSMA
LaMont Cavanaugh

Ms. Spanbauer opened the regular commission meeting at 10:00 a.m. with introductions. Ms. Mickelson took roll call and declared a quorum. Ms. Spanbauer thanked the attendees for finding the CLO office and was excited to show everyone PMTC's new office after the meeting.

1. **Consideration and Vote to Approve/Disapprove Minutes of the December 12, 2019, Commission Meeting**

Dr. Storms made the motion to approve the December 12, 2019, PMTC Commission Meeting minutes as presented with Mr. Khoury seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

2. **Interim Director's Report**

- Posting of Finance Secretary Position
 - The job description will be completed and the job will be posted next week.
- Alpha Phase II Database Development
 - PMTC still has files in paper format. Phase II will give us the ability to scan contracts and documents into the database. If anything were to happen with tornados, etc. all the paperwork is in the system on two different servers across the United States and we will be in good shape. Ms. Spanbauer asked how far back PMTC would go. Ms. Thompson stated with the help of temporary assistance we would go back at least two years.
- Legislative update
 - Recent Meeting
 - We presented to the joint House and Senate Appropriations Subcommittee for Education. The committee accepted that favorably. It was very positive. They voiced approval our budget, the way that it appeared. We talked about our carry over, and that carry over was being examined by our commission. That the supplemental funding will go to the residency programs.
 - Emergency Rules
 - The governor signed the emergency rules a week ago. So those have been approved. Loan repayment has now moved to \$200,000. We have taken off the restrictions on those populations for our Physician Community Match as well as our PA Scholarship program. Emergency rules are only temporary, then they have to go to permanent rules. So we have to vote on those again so the emergency rules will be coming up for you to vote to move them to permanent rules. Also, with the nursing rules, you're going to see that we voted on them in December, we're only doing permanent rules with those if they're coming back up again. The reason being, the governor put out an executive order last week, wanting rules to be less restrictive. There were certain terms and words that he is looking for that he wants removed from the rules, the "shalls and shall nots". We removed the restrictive language with the nursing rules as well.
 - Bills with PMTC Impact
 - Senator Thompson's Bill SB1276, did pass committee on appropriations yesterday with a unanimous vote. The bill is looking at the two statutes that dictate how the monies that we provide the schools will be spent. The current statute calls for 50% of those funds to go to rural or underserved training opportunities. He's changing that to 75% of those funds are to be used for rural or underserved training areas.

- The first statute is Title 70 § 625.14. There are two different statutes. One is for OU College of Medicine residency programs and one is for OSU. 625.14 is OU. It goes on to address Title 70 § 697.2 which is OSU. You will see that they are replacing “which” with “such” in some of those same terminology changes that is making that statute. So that's something that we will want to look at with the schools, whether or not 50% or 75% is going to put them in a more restrictive situation with their funds.
- The other part of that particular statute is changing the makeup of the commission. Our current makeup of our commission is three MDs, two DOs and two lay persons or non-physician member. This would change the makeup to three MDs, three DOs and one non physician. The other change is our current ex-officio members, the chair of the State Board of Health is changing to be the state Commissioner of Health or designee. Dr. Leverett asked if Ms. Thompson knew what prompted this change. Ms. Thompson was not certain. She stated Senator Thompson had to reschedule the meeting they had for later in the day after the commission meeting. Dr. Leverett wondered what would happen to Ms. Spanbauer or Mr. Khoury. Ms. Thompson explained, as she understood the rule, when the next layperson's term ends, they would be replaced by a DO, opposed to another lay person.
- HB3392 by Representative McIntyre. This bill that Rep. McIntyre is running to add general surgery to our Oklahoma Medical Loan Repayment. On February 4 it was referred to the Appropriations on Education Subcommittee. Rep. McIntyre is always very supportive of our efforts.
- There was a bill by Senator Adam Pugh. That bill, while it shows it had some type of action on Feb. 5th, I visited with Senator Pugh's legislative assistant yesterday, when I was at the capitol, that is a 2019 bill. I think it has to do with when the Alzheimer's Association was working with the Senator, hoping to add a specialist piece. It has not been reactivated at this point, while it could be, it doesn't appear that it is going to be so we'll just monitor that one to be sure.
- Representative McCall has a couple of bills out. House Bill 3823 offers a tax credit to anyone that is starting a practice in a rural Oklahoma community. They have to graduate from an Oklahoma residency program. The restrictions include, the practice community population cannot exceeding 25,000 as determined by the most recent census and at least 25 miles from a boundary of the nearest municipality that exceeds that population. This is going to require them to live in their area. I believe this can be coupled with loan repayment, and could be a game-changer for some of those very rural areas. It would be another incentive to move their families to rural Oklahoma. Rep. McCall's other bill actually is a proposed committee substitute for Senator Rader's bill. Senator Rader's bill is SB1892 where Rep. McCall's bill is HB2503. This has to do with what Dr. Crawford presented to us during our retreat in December. It is a tax credit for preceptors—physician, nurse practitioner and PA preceptors, that are willing to give their time to train these students in rotations. One of the hindrances we see to training residents and medical students in those rural areas, is the availability of preceptors to do the training.

Ms. Thompson spoke with Cole Stout about what she learned from the State of Georgia and the fiscal impact. PMTC is proposed to be the administrator on the Preceptor bill. We would certify that the preceptor is entitled to the tax credit and at what level. This would increase PMTC's staffing. The up-front cost would be the software.

Dr. Crawford stated that Senator Rader suggested a unified agency working with physicians, PAs, nurses, such as PMTC, was the right place to administer the program especially with the rural focus. Georgia uses their university for their program. Dr. Storms interjected asking if there are databases for PMTC to refer to. Ms. Thompson stated that Georgia's software is set up so the schools would input preceptor data, who they are working with and the anticipated hours. The preceptor would enroll and verify the times they have spent with the student as a preceptor. Then we match that together through the computer program to certify what level of tax credit they receive based on how much time they have spent in that service. Ms. Thompson explained that the unique thing about Georgia is that they have one university system while Oklahoma has a higher ed with multiple university systems. Ms. Thompson thinks the reason why PMTC was named is because they are often looked at as a neutral party, and has common ground with all the schools.

Dr. Leverett felt encouraged as a few years ago the state was talking of consolidating PMTC with other agencies and now they are asking us to step up and do more. As we take on more responsibilities, he thinks it will be harder for them to combine us with some other agency. He stated we need to be careful how much time this is going to take and that we need to include in our budget requests, if this bill passes, PMTC will need extra funding and extra staff. Ms. Thompson added it would require two additional staff as well as office space for them. Dr. Leverett continued that our rules state we need to be credible and auditable so that we don't have someone milking the system. Dr. Crawford added that it was up to the schools as to what is considered an acceptable preceptor.

- Meeting with Governor Stitt

Ms. Thompson met with Governor Still on February 12. He was very attentive the entire 12 minutes of their meeting, which was a good sign. He asked some very pointed questions about what PMTC does. She believes part of the reason is that he was wanting to make sure that he appoints individuals appropriately to the commissions and boards of each of those agencies. PMTC has three commission members whose terms will be ending in June. She conveyed that it was their first term, and these individuals are moving this agency in a positive direction, and the momentum is just beginning. One of those individuals is the vice chair and would be up for chair in July. It would be our desire to maintain those board members should they want to remain on our board for the next appointment. Dr. Hill is the other member of our board whose term ends in June.

Dr. Leverett asked Ms. Thompson, when she met with the different committees, did they indicate how the additional three million was to be spent. Ms. Thompson stated that it was to replace the 1115 waiver funds that we received both for loan repayment, as well as for what was matched with the schools.

- Report on discussion of Family Medicine Residency Funding for OU & OSU Programs

Dr. Beller explained that he, Ms. Thompson, and Dr. Hill had met a week ago to discuss an appropriate way to distribute the funds to the schools with the charge of PMTC to provide medical care to rural Oklahoma.

Ms. Thompson developed a chart using the data presented at the December meeting. She explained: the chart is based on points given for residents who spend six months or more in a rural training experience, points are given for residents who spend less than six months in a rural training experience, points are given for a graduating resident that establishes their practice in a rural Oklahoma communities. The following year, when we look at the total number of points that have been awarded overall, and looking at what percentage of those points were earned by each of the residency programs. Then that supplemental funding would be given based upon that percentage in a lump sum at the beginning of the next fiscal year out of our carry over funds from this fiscal year.

Dr. Beller stated they thought this was the best formula to incentivize the training programs to make an effort to direct their residents and graduates in rural Oklahoma.

Dr. Leverett asked if the scoring system would be brought before the entire commission. Ms. Thompson stated discussion is continuing and they are going to make some overall recommendations in the April meeting. So there is still time for changes for the FY21 budget.

Ms. Spanbauer added that we plan to have more things like this at meetings where there is no vote, only discussion, in an effort to be transparent.

Dr. Storms made the motion to approve the Interim Director's Report with Mr. Khoury seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

3. Consideration and Possible Action regarding permanent Nursing Rules Changes resulting from the Executive Order 2020-03

Ms. Cecil explained that everything that was voted on at the December meeting is what was being voted on. The restrictive wording was changed per the Executive Order.

Dr. Storms made the motion to approve the Nursing Rules Changes with Dr. Leverett seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

4. Consideration and Possible Action regarding permanent rules changes for Title 540, Chapters 35, 45 & 50 for compliance with Executive Order 2020-03

Ms. Thompson explained to move emergency rules to permanent a vote had to be taken. She also noted the restrictive wording was changed in the rules per the Executive Order.

Dr. Storms made the motion to approve the permanent rules changes for Title 540, Chapters 35, 45 and 50 with Dr. Beller seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

5. Consideration and Possible Action from Scholarship Loan Repayment Committee

- a. Allison Edwards—PA Scholarship
- b. Leslie Lodes—PA Scholarship

Dr. Storms explained the situations with Ms. Edwards and Ms. Lodes. Ms. Thompson interjected the PA market has changed considerably but both PAs had position opportunities in rural Oklahoma and chose not to go. She also stated both PAs had some life changes that affected their decisions.

The Scholarship Concerns Committee made the motion for Allison Edwards to allow the 25% penalty, Mr. Khoury seconded the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

The Scholarship Concerns Committee made the motion for Leslie Lodes to allow the 25% penalty, Mr. Khoury seconded the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

- c. Erica Benda McMillan, DO – Rural Medical Education Scholarship

Dr. Storms stated that Dr. McMillan, Rural Medical Education Loan Scholarship recipient, has asked the committee to change the lump sum payment deadline from July 1 to October 1, 2020. Dr. McMillan left the state of Oklahoma to attend the OMECO residency program in Joplin, Missouri, and married while she was there. Originally she was going to follow her husband to Texas to practice at our last meeting. She is now staying in Joplin and her husband is going to stay on staff in the OMECO program there. She is asking that we extend, due to an extension in her residency time, the offer of waiving interest for a lump sum payment of \$120,000 no later than October 1, 2020.

The Scholarship Concerns Committee made the motion for Erica Benda McMillan to move the lump sum payment date from July 1 to October 1 as we have agreed to waive the interest but pay 100% liquidated damages and the full \$120,000 at the completion of residency, Dr. Beller seconded the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

- d. Josh Redmond, DO – Physician loan Repayment

Dr. Storms stated Dr. Redmond was originally approved for Hillcrest Claremore and due to a great need in Pryor Dr. Redmond and Utica Park Hillcrest had requested to move his practice location to Pryor when he completes residency in June.

The Scholarship Concerns Committee made the motion to approve Josh Redmond to go to Pryor instead of Claremore to fulfill the obligation since both locations meet the criteria, Mr. Khoury seconded the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

- e. New payment matrix

Dr. Storms explained that as of July 1, 2020, the loan repayment amount will be \$200,000, instead of \$160,000. The participant will receive a straight \$50,000 at the end of each year rather than a graduated amount. The facility's portion, since we thought we could not put any more burden on the community than what they are doing, will remain at \$64,000 over the four year period. Instead of being a different amount each year, it will become \$16,000 each year which will be easier for those facilities to budget when the amount stays the same. We are going to be requesting more

money from TSET, which will raise the amount that they put in from \$64,000 to \$68,000. The remaining \$68,000 will be PMTC or other sponsor funds, which is an \$8,000 increase from the Rural Medical Education Scholarship program. Monies from the Rural Education Scholarship Program were moved to fund the Physician Loan Repayment Program.

Ms. Thompson noted that in losing the 1115 waiver, PMTC had to pick up \$93,000 for each one of those loans over a four year period. This amount is considerably less. We have several that will be receiving their last payment on the original program. FY22 ends the last of those that we are picking up that big piece on, with those graduating, the last payments are the largest amount. So once we are free of that obligation, then we'll be able to start on some steady ground. This makes it much easier for us and communities as well to budget the same amount every year. This is what we are proposing. If TSET is willing to do more than what I'm asking, then we will make an adjustment. But right now I need to be able to move forward with the approval of the commission into these conversations if this is where we want to start.

Dr. Storms stated that the next few years we are going to have people that were under the Resident Rural Scholarship, and were not able to participate in the loan repayment. We have a bridge program so they are eligible for loan repayment. We have been figuring out a way for them to subtract the \$30,000. If a person received \$30,000 from the Resident Rural Scholarship program, they are eligible for \$170,000 in loan repayment. We are not going to make them pay the \$30,000 back. We will deduct that out of what they get in the first year -- they get \$38,000, the community still puts in \$16,000, TSET puts in their \$17,000, PMTC, instead of putting in \$17,000, we will only put in \$5,000 and \$12,000 would be the part of the scholarship money they have already received. That would happen in the second year also. They will get \$38,000. With the old bridge, they had to wait until they paid off the obligation to start receiving the money. This way they start receiving it Year One, and they stay in the community. They get \$38,000 instead of \$50,000. The next year they get \$38,000 instead of \$50,000, and by the third year they get \$44,000, we are only out the \$6,000 that last year to get to \$30,000. So, they still are fulfilling their obligation of being in the community with a minimum enforceable three year obligation. This is a fair way to bridge so they can participate in both programs.

What the commission had approved before, is that in order for the Resident Rural Scholarship participants to participate in loan repayment, it all had to be negotiated at the same time. But they couldn't begin participating on loan repayment until they fulfilled at least 50% of their original obligation. That took our partners out, because that puts them where they are not starting the program until later in their program, with OSMA, Blue Cross Blue Shield and TSET wanting to start participating at the onset. Plus, if a doctor is approved to begin loan repayment and has never taken the scholarship, he comes in and he goes to work for one year and he receives his first year of loan repayment, and midterm of the second year, something happens and he decides he is not going to stay. The only consequence is he just does not get a second, third and fourth year payment, but he can leave. With this provision, if you are on Resident Rural Scholarship, you start loan repayment with a three year obligation on that scholarship, because they are still going to have to repay with liquidated damages and interest. We take the first year funds on Resident Rural Scholarship away from the first year funds they will receive on loan repayment. And so it makes it a little bit more acceptable and makes that scholarship more meaningful.

Ms. Thompson had an inquiry from a fourth year medical student that is anticipating being accepted in March to residency in family medicine, either at Tulsa, or OSU Tulsa. His question was "Ms. Thompson, what do I do during residency? Do I try to make my minimum payments during residency since I do not get loan repayment during that time?" So my answer to him is,

“many residents ask for a deferral. And if they get a deferral during their residency time, they do not have to make payments, but the interest is still accumulating on that loan. This would allow them to make minimum payments because those payments are based upon their income. So their income is minimal during the residency time that the \$1,000 scholarship helps them offset some of that interest, and start paying down those loans, and then they start their loan repayment time.” So, this is perfect. He gave me the perfect example at the perfect time to present to you that this is what would help that scholarship be more meaningful, coupled with our loan repayment.

Dr. Storms on behalf of the Committee recommends we approve the New Payment Matrix with Mr. Khoury seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

6. Consideration and Possible Action regarding Physician Loan Repayment Program

Ms. Thompson presented Matthew John Graves, MD, for loan repayment. He is an OB/GYN being recruited for McAlester Regional Medical Center.

Dr. Beller made the motion to approve Matthew J. Graves, MD, for the Physician Loan Repayment Program with Dr. Storms seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

Ms. Thompson presented Tammy Tandberg-Willcox, DO for approval for Physician Loan Repayment for Hugo, Oklahoma, practicing with Choctaw Nation.

Dr. Storms made the motion to approve Tammy Tandberg-Willcox, DO, for the Physician Loan Repayment Program with Dr. Beller seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

7. Possible vote to convene into Executive Session pursuant to 25 O.S.2011, §307(B)(1) the commission may convene in Executive Session to discuss the employment, hiring, appointment or promotion of the Interim Director and Executive Director.

Dr. Storms made the motion to go into Executive Session, with Mr. Khoury seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

Dr. Leverett made the motion to return to Open Session, with Mr. Khoury seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.

Dr. Storms asked that the records reflect that during the Executive Session only personnel items noted in the agenda were discussed and no votes were taken. The request of legal counsel was noted.

New Business

Ms. Thompson reported the state of Maryland was researching Loan Repayment Programs. She asked them to share their information once it is received. There are multiple states that have loan repayment programs. Texas has a program funded with their smokeless tobacco tax, \$14,947,215 per year. Ms. Thompson stated this is what PMTC is competing against.

8. Discussion and vote to Adjourn

Dr. Beller made the motion to adjourn with Mr. Khoury seconding the motion. Voting in favor were: Dr. Beller, Mr. Khoury, Dr. Leverett, Ms. Spanbauer and Dr. Storms. None were opposed.
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Pamela G. Spanbauer, Board Chair 5/14/2020