

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

400A0608

## HOUSE STATE AFFAIRS COMMITTEE ENGROSSED NO. **SB263** - 2/25/97

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to revise certain provisions of the physician tuition  
2 reimbursement program and the medical education scholarship program.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-16A-71.1 be amended to read as follows:

5 1-16A-71.1. A physician is eligible to receive tuition reimbursement payments pursuant to  
6 the provisions of §§ 1-16A-71.1, 1-16A-72.1, and 1-16A-73.1 to 1-16A-73.5, inclusive, if ~~such~~  
7 the physician is licensed to practice medicine pursuant to chapter 36-4 and has completed a  
8 two-year or three-year accredited residency program in family practice and if ~~he~~ the physician  
9 agrees to practice as a family physician in an eligible community for a minimum period of three  
10 years. However, no more than ~~six~~ ten physicians may participate in this program at any specified  
11 time. Preference shall be given to physicians who have graduated from the University of South  
12 Dakota School of Medicine and completed an accredited family practice residency program  
13 located in South Dakota.

14 Section 2. That § 1-16A-72.1 be amended to read as follows:

15 1-16A-72.1. For purposes of §§ 1-16A-71.1, 1-16A-72.1, and 1-16A-73.1 to 1-16A-73.5,

1 inclusive, an eligible community is any community in this state which:

- 2 (1) Has a population of ~~five~~ ten thousand persons or less;
- 3 (2) Agrees to provide ~~fifty percent~~ its portion of the tuition reimbursement payments  
4 payable to a physician who practices in the community as required by §§ 1-16A-71.1,  
5 1-16A-72.1, and 1-16A-73.1 to 1-16A-73.5, inclusive; and
- 6 (3) Is determined to be eligible by the Department of Health.

7 Before making a determination under subdivision (3) of this section, the Department of  
8 Health shall conduct a community assessment designed to evaluate the community's need for a  
9 physician and its ability to sustain and support a family physician. ~~The Department of Health shall~~  
10 ~~promulgate rules pursuant to chapter 1-26, to establish the procedures and specific criteria to be~~  
11 ~~used in conducting a community assessment.~~ The department shall maintain a list of communities  
12 which have been assessed and which are eligible for participation in the tuition reimbursement  
13 program established by §§ 1-16A-71.1, 1-16A-72.1, and 1-16A-73.1 to 1-16A-73.5, inclusive.  
14 The department may revise any community assessment or conduct a new assessment as necessary  
15 to reflect any change in conditions within a community.

16 Section 3. That § 1-16A-73.1 be amended to read as follows:

17 1-16A-73.1. A physician who fulfills the requirements of §§ 1-16A-71.1, 1-16A-72.1, and  
18 1-16A-73.1 to 1-16A-73.5, inclusive, is entitled to receive tuition reimbursement in an amount  
19 equal to twice the University of South Dakota resident tuition which the physician would have  
20 paid if such physician had attended the University of South Dakota School of Medicine during  
21 the four most recently completed academic years ~~in which the physician actually attended~~  
22 ~~medical school~~. The amount of reimbursement does not include any interest incurred by a  
23 physician.

24 Section 4. That § 1-16A-73.2 be amended to read as follows:

25 1-16A-73.2. Any agreement for the payment of tuition reimbursement pursuant to

1 §§ 1-16A-71.1, 1-16A-72.1, and 1-16A-73.1 to 1-16A-73.5, inclusive, shall obligate the  
2 community to be served by a physician to provide ~~fifty percent~~ a portion of the total amount of  
3 tuition reimbursement, based on the following criteria: communities of two thousand five  
4 hundred persons or less shall provide twenty-five percent of tuition reimbursement payments;  
5 communities of more than two thousand five hundred persons and less than five thousand  
6 persons shall provide fifty percent of tuition reimbursement payments; and all remaining eligible  
7 communities shall provide seventy-five percent of tuition reimbursement payments. When the  
8 community certifies to the secretary of health that it has paid the full amount for which it is  
9 obligated, the secretary of the Department of Health shall pay to the physician the remaining ~~fifty~~  
10 ~~percent~~ balance of the total tuition reimbursement amount. The secretary shall pay the required  
11 amount out of funds appropriated by the Legislature for such purpose. Reimbursement shall be  
12 paid upon the physician's completion of the required three-year practice period. However, a  
13 community may pay its share of tuition reimbursement in installments during the required  
14 three-year period.

15 Section 5. That § 1-16A-73.5 be amended to read as follows:

16 1-16A-73.5. No person may participate in the tuition reimbursement program established by  
17 §§ 1-16A-71.1, 1-16A-72.1, and 1-16A-73.1 to 1-16A-73.5, inclusive, if ~~such~~ the person has  
18 previously participated in such program, or any other state or federal scholarship, loan  
19 repayment, or tuition reimbursement program which obligates the person to provide medical  
20 services within an underserved area.

21 Section 6. That chapter 13-56C be amended by adding thereto a NEW SECTION to read  
22 as follows:

23 No student may receive a medical education scholarship for the 1997-1998 academic year  
24 or thereafter unless the student had previously received such scholarship.

25 Section 7. The provisions of chapter 13-56C are repealed effective July 1, 2000. This repeal

1 does not release any liability incurred under that chapter, which shall be treated as still remaining  
2 in force for the purpose of sustaining any proper action or prosecution for the enforcement of  
3 the liability.

4 Section 8. That chapter 1-16A be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 For the purposes of this chapter, the term, community, means a municipality as defined by  
7 § 9-1-1.

1 **BILL HISTORY**

2 2/4/97 First read in Senate and referred to State Affairs. S.J. 307

3 2/12/97 Scheduled for Committee hearing on this date.

4 2/12/97 State Affairs Do Pass, Passed, AYES 8, NAYS 0. S.J. 421

5 2/14/97 Motion to Amend, Passed. S.J. 458

6 2/14/97 Senate Do Pass Amended, Passed, AYES 35, NAYS 0. S.J. 458

7 2/15/97 First read in House and referred to State Affairs. H.J. 523

8 2/24/97 Scheduled for Committee hearing on this date.

9 2/24/97 State Affairs Do Pass Amended, Passed, AYES 10, NAYS 0. H.J. 644