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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3855

03/15/2018 Authored by Baker, Franke and Clark
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; adding alcohol and drug counselors to the health professional
1.3 education loan forgiveness program; amending Minnesota Statutes 2016, sections
1.4 144.1501, subdivisions 1, 3; 144.608, subdivision 1; 147A.08; Minnesota Statutes
1.5 2017 Supplement, section 144.1501, subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 144.1501, subdivision 1, is amended to read:

1.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions
1.9 apply.

1.10 (b) "Advanced dental therapist" means an individual who is licensed as a dental therapist
1.11 under section 150A.06, and who is certified as an advanced dental therapist under section
1.12 150A.106.

1.13 (c) "Alcohol and drug counselor" means an individual who is licensed as an alcohol and
1.14 drug counselor under chapter 148F.

1.15 (d) "Dental therapist" means an individual who is licensed as a dental therapist under
1.16 section 150A.06.

1.17 ~~(d)~~ (e) "Dentist" means an individual who is licensed to practice dentistry.

1.18 ~~(e)~~ (f) "Designated rural area" means a statutory and home rule charter city or township
1.19 that is outside the seven-county metropolitan area as defined in section 473.121, subdivision
1.20 2, excluding the cities of Duluth, Mankato, Moorhead, Rochester, and St. Cloud.

2.1 ~~(f)~~ (g) "Emergency circumstances" means those conditions that make it impossible for
2.2 the participant to fulfill the service commitment, including death, total and permanent
2.3 disability, or temporary disability lasting more than two years.

2.4 ~~(g)~~ (h) "Mental health professional" means an individual providing clinical services in
2.5 the treatment of mental illness who is qualified in at least one of the ways specified in section
2.6 245.462, subdivision 18.

2.7 ~~(h)~~ (i) "Medical resident" means an individual participating in a medical residency in
2.8 family practice, internal medicine, obstetrics and gynecology, pediatrics, or psychiatry.

2.9 ~~(i)~~ (j) "Midlevel practitioner" means a nurse practitioner, nurse-midwife, nurse anesthetist,
2.10 advanced clinical nurse specialist, or physician assistant.

2.11 ~~(j)~~ (k) "Nurse" means an individual who has completed training and received all licensing
2.12 or certification necessary to perform duties as a licensed practical nurse or registered nurse.

2.13 ~~(k)~~ (l) "Nurse-midwife" means a registered nurse who has graduated from a program of
2.14 study designed to prepare registered nurses for advanced practice as nurse-midwives.

2.15 ~~(l)~~ (m) "Nurse practitioner" means a registered nurse who has graduated from a program
2.16 of study designed to prepare registered nurses for advanced practice as nurse practitioners.

2.17 ~~(m)~~ (n) "Pharmacist" means an individual with a valid license issued under chapter 151.

2.18 ~~(n)~~ (o) "Physician" means an individual who is licensed to practice medicine in the areas
2.19 of family practice, internal medicine, obstetrics and gynecology, pediatrics, or psychiatry.

2.20 ~~(o)~~ (p) "Physician assistant" means a person licensed under chapter 147A.

2.21 ~~(p)~~ (q) "Public health nurse" means a registered nurse licensed in Minnesota who has
2.22 obtained a registration certificate as a public health nurse from the Board of Nursing in
2.23 accordance with Minnesota Rules, chapter 6316.

2.24 ~~(q)~~ (r) "Qualified educational loan" means a government, commercial, or foundation
2.25 loan for actual costs paid for tuition, reasonable education expenses, and reasonable living
2.26 expenses related to the graduate or undergraduate education of a health care professional.

2.27 ~~(r)~~ (s) "Underserved urban community" means a Minnesota urban area or population
2.28 included in the list of designated primary medical care health professional shortage areas
2.29 (HPSAs), medically underserved areas (MUAs), or medically underserved populations
2.30 (MUPs) maintained and updated by the United States Department of Health and Human
2.31 Services.

3.1 Sec. 2. Minnesota Statutes 2017 Supplement, section 144.1501, subdivision 2, is amended
3.2 to read:

3.3 Subd. 2. **Creation of account.** (a) A health professional education loan forgiveness
3.4 program account is established. The commissioner of health shall use money from the
3.5 account to establish a loan forgiveness program:

3.6 (1) for medical residents and mental health professionals agreeing to practice in designated
3.7 rural areas or underserved urban communities or specializing in the area of pediatric
3.8 psychiatry;

3.9 (2) for midlevel practitioners agreeing to practice in designated rural areas or to teach
3.10 at least 12 credit hours, or 720 hours per year in the nursing field in a postsecondary program
3.11 at the undergraduate level or the equivalent at the graduate level;

3.12 (3) for nurses who agree to practice in a Minnesota nursing home; an intermediate care
3.13 facility for persons with developmental disability; a hospital if the hospital owns and operates
3.14 a Minnesota nursing home and a minimum of 50 percent of the hours worked by the nurse
3.15 is in the nursing home; a housing with services establishment as defined in section 144D.01,
3.16 subdivision 4; or for a home care provider as defined in section 144A.43, subdivision 4; or
3.17 agree to teach at least 12 credit hours, or 720 hours per year in the nursing field in a
3.18 postsecondary program at the undergraduate level or the equivalent at the graduate level;

3.19 (4) for other health care technicians agreeing to teach at least 12 credit hours, or 720
3.20 hours per year in their designated field in a postsecondary program at the undergraduate
3.21 level or the equivalent at the graduate level. The commissioner, in consultation with the
3.22 Healthcare Education-Industry Partnership, shall determine the health care fields where the
3.23 need is the greatest, including, but not limited to, respiratory therapy, clinical laboratory
3.24 technology, radiologic technology, and surgical technology;

3.25 (5) for pharmacists, advanced dental therapists, dental therapists, alcohol and drug
3.26 counselors, and public health nurses who agree to practice in designated rural areas; and

3.27 (6) for dentists agreeing to deliver at least 25 percent of the dentist's yearly patient
3.28 encounters to state public program enrollees or patients receiving sliding fee schedule
3.29 discounts through a formal sliding fee schedule meeting the standards established by the
3.30 United States Department of Health and Human Services under Code of Federal Regulations,
3.31 title 42, section 51, chapter 303.

3.32 (b) Appropriations made to the account do not cancel and are available until expended,
3.33 except that at the end of each biennium, any remaining balance in the account that is not

4.1 committed by contract and not needed to fulfill existing commitments shall cancel to the
4.2 fund.

4.3 Sec. 3. Minnesota Statutes 2016, section 144.1501, subdivision 3, is amended to read:

4.4 Subd. 3. **Eligibility.** (a) To be eligible to participate in the loan forgiveness program, an
4.5 individual must:

4.6 (1) be a medical or dental resident; a licensed pharmacist; or be enrolled in a training or
4.7 education program to become a dentist, dental therapist, advanced dental therapist, mental
4.8 health professional, alcohol and drug counselor, pharmacist, public health nurse, midlevel
4.9 practitioner, registered nurse, or a licensed practical nurse. The commissioner may also
4.10 consider applications submitted by graduates in eligible professions who are licensed and
4.11 in practice; and

4.12 (2) submit an application to the commissioner of health.

4.13 (b) An applicant selected to participate must sign a contract to agree to serve a minimum
4.14 three-year full-time service obligation according to subdivision 2, which shall begin no later
4.15 than March 31 following completion of required training, with the exception of a nurse,
4.16 who must agree to serve a minimum two-year full-time service obligation according to
4.17 subdivision 2, which shall begin no later than March 31 following completion of required
4.18 training.

4.19 Sec. 4. Minnesota Statutes 2016, section 144.608, subdivision 1, is amended to read:

4.20 Subdivision 1. **Trauma Advisory Council established.** (a) A Trauma Advisory Council
4.21 is established to advise, consult with, and make recommendations to the commissioner on
4.22 the development, maintenance, and improvement of a statewide trauma system.

4.23 (b) The council shall consist of the following members:

4.24 (1) a trauma surgeon certified by the American Board of Surgery or the American
4.25 Osteopathic Board of Surgery who practices in a level I or II trauma hospital;

4.26 (2) a general surgeon certified by the American Board of Surgery or the American
4.27 Osteopathic Board of Surgery whose practice includes trauma and who practices in a
4.28 designated rural area as defined under section 144.1501, subdivision 1, paragraph ~~(e)~~ (f);

4.29 (3) a neurosurgeon certified by the American Board of Neurological Surgery who
4.30 practices in a level I or II trauma hospital;

5.1 (4) a trauma program nurse manager or coordinator practicing in a level I or II trauma
5.2 hospital;

5.3 (5) an emergency physician certified by the American Board of Emergency Medicine
5.4 or the American Osteopathic Board of Emergency Medicine whose practice includes
5.5 emergency room care in a level I, II, III, or IV trauma hospital;

5.6 (6) a trauma program manager or coordinator who practices in a level III or IV trauma
5.7 hospital;

5.8 (7) a physician certified by the American Board of Family Medicine or the American
5.9 Osteopathic Board of Family Practice whose practice includes emergency department care
5.10 in a level III or IV trauma hospital located in a designated rural area as defined under section
5.11 144.1501, subdivision 1, paragraph ~~(e)~~ (f);

5.12 (8) a nurse practitioner, as defined under section 144.1501, subdivision 1, paragraph ~~(h)~~
5.13 (m), or a physician assistant, as defined under section 144.1501, subdivision 1, paragraph
5.14 ~~(o)~~ (p), whose practice includes emergency room care in a level IV trauma hospital located
5.15 in a designated rural area as defined under section 144.1501, subdivision 1, paragraph ~~(e)~~
5.16 (f);

5.17 (9) a physician certified in pediatric emergency medicine by the American Board of
5.18 Pediatrics or certified in pediatric emergency medicine by the American Board of Emergency
5.19 Medicine or certified by the American Osteopathic Board of Pediatrics whose practice
5.20 primarily includes emergency department medical care in a level I, II, III, or IV trauma
5.21 hospital, or a surgeon certified in pediatric surgery by the American Board of Surgery whose
5.22 practice involves the care of pediatric trauma patients in a trauma hospital;

5.23 (10) an orthopedic surgeon certified by the American Board of Orthopaedic Surgery or
5.24 the American Osteopathic Board of Orthopedic Surgery whose practice includes trauma
5.25 and who practices in a level I, II, or III trauma hospital;

5.26 (11) the state emergency medical services medical director appointed by the Emergency
5.27 Medical Services Regulatory Board;

5.28 (12) a hospital administrator of a level III or IV trauma hospital located in a designated
5.29 rural area as defined under section 144.1501, subdivision 1, paragraph ~~(e)~~ (f);

5.30 (13) a rehabilitation specialist whose practice includes rehabilitation of patients with
5.31 major trauma injuries or traumatic brain injuries and spinal cord injuries as defined under
5.32 section 144.661;

6.1 (14) an attendant or ambulance director who is an EMT, EMT-I, or EMT-P within the
6.2 meaning of section 144E.001 and who actively practices with a licensed ambulance service
6.3 in a primary service area located in a designated rural area as defined under section 144.1501,
6.4 subdivision 1, paragraph ~~(e)~~ (f); and

6.5 (15) the commissioner of public safety or the commissioner's designee.

6.6 Sec. 5. Minnesota Statutes 2016, section 147A.08, is amended to read:

6.7 **147A.08 EXEMPTIONS.**

6.8 (a) This chapter does not apply to, control, prevent, or restrict the practice, service, or
6.9 activities of persons listed in section 147.09, clauses (1) to (6) and (8) to (13), persons
6.10 regulated under section 214.01, subdivision 2, or persons defined in section 144.1501,
6.11 subdivision 1, paragraphs ~~(i), (k), and (j)~~, (l), and (m).

6.12 (b) Nothing in this chapter shall be construed to require licensure of:

6.13 (1) a physician assistant student enrolled in a physician assistant educational program
6.14 accredited by the Accreditation Review Commission on Education for the Physician Assistant
6.15 or by its successor agency approved by the board;

6.16 (2) a physician assistant employed in the service of the federal government while
6.17 performing duties incident to that employment; or

6.18 (3) technicians, other assistants, or employees of physicians who perform delegated
6.19 tasks in the office of a physician but who do not identify themselves as a physician assistant.