

~~NOTICE OF INTENT~~ RULE
Louisiana Department of Health
Office of Public Health
Health Professional Development Program
(LAC 48:V.Chapter 133)

Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that state health officer, acting through the Louisiana Department of Health, Office of Public Health (LDH/OPH), ~~intends to~~ **has enacted** new Sections of Title 48 of the Louisiana Administrative Code to provide the LDH the authority and ability to effectively administer the Health Professional Development Program.

LDH finds it necessary to make additions to the Louisiana Administrative Code as a consequence of funding allocated thru Act No. 167 of the 2022 Regular Session of the Louisiana Legislature, which provided funding related to R.S. 40:1205.1 et seq., Health Professional Development Program. The following changes will provide the LDH the authority and ability to effectively administer the Health Professional Development Program, which is vital to the health of Louisiana's citizens and visitors.

Title 48
PUBLIC HEALTH—GENERAL

Part V. Preventive Health Services

Subpart 49. Community Based and Rural Health Services

Chapter 133. Funding Eligibility

§13305. Health Professional Development Program

A. The Louisiana Department of Health (LDH) has developed and shall administer a plan for recruitment and retention of primary health care practitioners to practice in health professional shortage areas or facilities. The plan will provide for identification of shortage areas, prioritize long-term and short-term goals and strategies, provide a special minority component, and provide for public input.

B. LDH shall implement the recruitment and retention plan, directly or through contract. Implementation may include advertising and promotion, professional recruitment services, travel, and all other necessary expenses.

C. Contingent upon available funding, LDH will establish a Physician Loan Repayment Program, pursuant to R.S. 40:1205.3. LDH may establish one or more application cycles during any state fiscal year. At the beginning of any application cycle, notice of application will be publicized through electronic methods (email, newsletter, or the LDH website: <https://wellaheadla.com>).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1205.1 et seq.
HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health,
LR 49:

§13307. Louisiana Physician Loan Repayment Program; Criteria

- A. Criteria for Applicants. To be eligible for the loan repayment program, an applicant shall:
1. be licensed and qualified as a doctor of allopathic/osteopathic medicine (MD/DO—to include those in the final year of their residency) to practice in Louisiana;
 2. provide primary care services in a federally designated health professional shortage area (family practice, general practice, internal medicine, pediatrics, obstetrics/gynecology, psychiatry, emergency medicine);
 3. be a United States citizen/national;
 4. agree to serve a minimum of five years in a federally designated health professional shortage area (HPSA) appropriate for their discipline;
 5. work full-time (40 hours/week), with a minimum of 32 hours per week providing clinical services in an outpatient/ambulatory care setting or providing comprehensive patient care;
 6. not have an outstanding contractual obligation to provide a health professional service to the federal government (e.g. an active military obligation, National Health Services Corp (NHSC) Loan Repayment Program, NHSC Scholarship Program), or any other entity unless that service obligation will be completely satisfied before the contract has been signed;
 7. not have breached a health professional service contract with the federal, state, or local government, or other entities;
 8. not have defaulted on their educational loans at any time, unless corrective actions have been made and loans are now in good standing;
 9. not have a lien levied against their property for a debt to the United States government;
 10. not be arrears on child support payment.
- B. Criteria for Practice Sites. To be an eligible practice site, the site must:
1. be located in Louisiana in a federally designated HPSA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1205.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 49:

§13309. Award Amounts

- A. Award amounts are contingent upon available funding and the amount of qualifying student loan debt.
- B. LDH will contract directly with the award recipient.
- C. Award amount may be up to \$150,000 for a five-year contract (or the amount of the principal balance of the educational loan if less than the total eligible to receive).
- D. Participants who complete their original five-year commitment in compliance, remain in an eligible site in a HPSA, and still have educational loans to repay, may be able to extend their commitment with a two-year renewal to receive up to \$15,000 annually.
- E. Disbursement of funds will occur quarterly upon receipt of loan verification payment (LPV) for the funds paid the prior quarter.
- F. If the contractor breaches their obligation, the contractor will be subject to pay an amount equal to the sum of the following:
1. the total amount paid by the LDH to, or on behalf of, the participant for loan repayment for any period of obligated service not served;

2. an amount equal to the number of months of obligated service not completed multiplied by \$7,500; and

3. interest on the above amounts at the judicial interest rate pursuant to R.S. 13:4202, from the date of breach.

NOTE: The minimum amount that LDH is entitled to recover will not be less than \$31,000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1205.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 49:

§13311. Application

A. Program guidance and required forms will be updated as necessary on an annual basis and posted on the LDH website. Applications and other required documents shall be submitted directly to the Louisiana Department of Health at the address or using the electronic upload method noted in the program guidance. All applications (hard copy or an online application) must include the following:

1. copy of executed employment contract for the length of years participating in this program or a letter verifying employment, if an employment contract is not available;
2. resume;
3. copy of current professional license;
4. documentation of the current principal balance of the applicant's certified educational debt, including name and account number for each loan;
5. signed release from liability form;
6. signed consent for release of information waiver of confidentiality form;
7. completed IRS Form W-9 Request for Taxpayer ID Number that matches applicant address;
8. completed Electronic Funds Transfer Form with voided blank check or direct deposit form from a financial institution. The bottom of this form should be completed by your financial institution. Please make sure the box on the middle left page is checked;
9. for public employee(s), a letter of agreement with the governmental agency and verification of employment will be accepted in lieu of an employment contract.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1205.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 49:

§13313. Selection Criteria

A. Upon receipt of applications, program leadership will have five business days to make final selection. All who applied will be notified of acceptance or denial within five business days of final selection. Submitting an application does not guarantee selection. Support may be provided for up to two physicians per site per year. At the end of the application period, if there are remaining funds then additional physicians may be supported per site. In the event multiple candidates meet the qualification criteria, additional points will be provided if applicant:

1. completed the Rural Health Scholars Program (RHSP)=2 points;
2. is a Louisiana resident=2 points;
3. graduated from a Louisiana medical school=1 point;

4. graduated from a medical school affiliated with an HBCU=1 point;
5. practicing in a rural location=2 points

AUTHORITY Promulgated in accordance with R.S. 40:1205.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 49:

§13315. Rural Health Scholars Program

A. Contingent upon available funding, the Louisiana Department of Health may establish a Rural Health Scholars Program pursuant to R.S. 40:1205.3. The Rural Health Scholars Program encourages health professions students to practice in Louisiana's Health Professional Shortage Areas (HPSAs) by building partnerships between rural and underserved healthcare facilities and colleges and universities. The program will pay stipends to eligible and selected students and their eligible schools as set forth in this Section. LDH may establish one or more application cycles at any state fiscal year. At the beginning of any application cycle, notice of application cycle will be publicized through electronic methods (email, newsletter, or on the LDH website: <https://wellaheadla.com>).

B. Eligibility Criteria for Students. Students are eligible for the program if they are currently enrolled in one of the following healthcare profession programs:

1. MD/DO physicians (family or general practice, internal medicine, obstetrics/gynecology and pediatrics);
2. DDS/DMD (general and pediatric dentistry);
3. NP (nurse practitioner);
4. PA (physician assistant); or
5. RDH (registered dental hygienist).

C. Student service requirements are as follows:

1. must complete, during the term of the written agreement required by this Section, a 180-hour rotation in a rural healthcare facility that meets the eligible practice site criteria set forth in this Section;
2. must participate in an on-line seminar (assigned by LDH) that details health disparities, discusses health equity, and provide information on chronic disease prevention efforts in rural Louisiana;
3. must submit an experience essay detailing their experience in the healthcare facility; and
4. must participate in a pre and post survey following the completion of the program.

D. Criteria for Eligible Practice Sites. Eligible practice sites must:

1. be located in a federally designated HPSA;
2. accept reimbursement from Medicare, Medicaid, and the Children's Health Insurance Program (CHIP), utilize a sliding fee scale, and see all patients regardless of their ability to pay; and
3. must provide discounts for individuals with limited incomes (i.e. use a sliding fee scale).

E. Criteria for eligible universities/schools of higher education:

1. accredited medical program at an in-state university or school of higher education;

2. ability to provide healthcare facilities with preceptor roles, responsibilities, and mandatory qualifications;
3. ability to mentor/work directly with students;
4. ensure that students meet standards for immunization, CPR, liability insurance, background, drug testing, etc. prior to beginning their rotations;
5. facilitate open communication between the college/university and each healthcare facility; and
6. ensure the student's clinical rotation aligns with college/university goals.

F. Award Amounts. LDH shall enter into mandatory written agreements with the chosen healthcare facility, university/school of higher education, and student. Students who fulfill all requirements of this Section will receive a stipend not to exceed \$6,000 and an additional \$2,000 toward living expenses for a total of \$8,000 for the entirety of the agreement. The hosting healthcare facility will receive a maximum of \$5,000 per each student participant hosted. Each university/school of higher education will receive \$5,000 for program participation. Number of students selected and stipend amounts may vary depending on funding.

G. Student Application/Selection. All applications and scores will be compiled and presented to program leadership. Program leadership will have five business days to make a final selection. Applicants who apply will be notified of acceptance or denial within five business days of final selection. In the event of a tie, equal distribution of students from universities will be made.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1205.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 49:

Family Impact Statement

~~The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:~~

- ~~— 1. the stability of the family;~~
- ~~— 2. the authority and rights of persons regarding the education and supervision of their children;~~
- ~~— 3. the functioning of the family;~~
- ~~— 4. family earnings and family budget;~~
- ~~— 5. the behavior and personal responsibility of children;~~
- ~~— 6. the ability of the family or a local government to perform the function as contained in the proposed Rule.~~

Poverty Impact Statement

~~The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:~~

- ~~— 1. the effect on household income, assets, and financial security;~~

- 2. the effect on early childhood development and preschool through postsecondary education development;
- 3. the effect on employment and workforce development;
- 4. the effect on taxes and tax credits;
- 5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

- 1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
- 2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
- 3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed rule. Such comments must be received no later than Thursday, August 10, 2023 at COB, 4:30 p.m., and should be addressed to Nicole Coarsey, State Office of Rural Health Officer, Bureau of Chronic Disease Prevention and Healthcare Access, Office of Public Health, Louisiana Department of Health, P.O. Box 3118, Baton Rouge, LA 70821-4489

Public Hearing

Interested persons may submit a written request to conduct a public hearing either by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on Thursday, August 10, 2023. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:00 a.m. on Friday, August 25, 2023 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after Thursday, August 10, 2023. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (eater corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Steve Russo
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

Person

Preparing

Statement: Nicole Peace Coarsey Dept.: Louisiana Department of Health

Phone: 225 342 1583 Office: Office of Public Health

Return

Address: 628 N. 4th Street

Baton Rouge, LA 70802 Rule Title: Health Professional Development Program

Date Rule Takes Effect: October 20, 2023

SUMMARY

(Use complete sentences)

~~In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.~~

~~I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)~~

~~The annual cost to implement this rule is \$2,673,634 from the Rural Primary Care Physicians Development Fund associated with physician loan repayments for providers through the Health Professional Development Program (\$2,543,634) and stipends to students through the Rural Health Scholars Program (\$130,000). There will also be a one-time cost of \$916 SGF in FY 24 for the publication of this rule.~~

~~The proposed rule establishes the eligibility criteria, application process, and award guidelines for the Health Professional Development and Rural Health Scholars Programs.~~

~~II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)~~

~~The proposed rule will have no impact on overall state revenue collections.~~

~~III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES OR NONGOVERNMENTAL GROUPS (Summary)~~

~~The proposed rule is anticipated to have a positive impact on individuals who are accepted into the Health Professional Development Program. Participants are eligible to receive up to \$150,000 to pay down their student loan costs, decreasing their debt burden.~~

~~Additionally, students who fulfill all requirements of the Rural Health Scholars Program will receive a stipend not to exceed \$6,000 and an additional \$2,000 toward living expenses for a total of \$8,000. The hosting healthcare facility will receive a maximum of \$5,000 per each student participant hosted. Each university/school of higher education will receive~~

~~\$5,000 for program participation. Number of students selected and stipend amounts may vary depending on funding.~~

~~IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)~~

~~The proposed rule may positively impact employers' ability to successfully compete for those healthcare providers who elect to return to rural or health professional shortage areas to work in their fields. Rural healthcare providers can potentially benefit by increasing their ability to provide adequate healthcare in these areas.~~

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

Doris Brown
Assistant Secretary, Office of Public Health
Typed Name & Title of Agency Head or Designee

Date of Signature

Date of Signature