



Sen. Rachelle Crowe

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LRB101 04208 AXK 57469 a

1 AMENDMENT TO SENATE BILL 447

2 AMENDMENT NO. _____. Amend Senate Bill 447 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by changing Section 2310-220 as follows:

7 (20 ILCS 2310/2310-220) (was 20 ILCS 2310/55.73)

8 Sec. 2310-220. Findings; rural obstetrical care. The
9 General Assembly finds that substantial areas of rural Illinois
10 lack adequate access to obstetrical care. The primary cause of
11 this problem is the absence of qualified practitioners who are
12 willing to offer obstetrical services. A significant barrier to
13 recruiting and retaining those practitioners is the high cost
14 of professional liability insurance for practitioners offering
15 obstetrical care.

16 Therefore, the Department, from funds appropriated for

1 that purpose, shall award grants to physicians practicing
2 obstetrics in rural designated shortage areas, as defined in
3 Section 3.04 of the Medical Education Assistance Family
4 Practice Residency Act, for the purpose of reimbursing those
5 physicians for the costs of obtaining malpractice insurance
6 relating to obstetrical services. The Department shall
7 establish reasonable conditions, standards, and duties
8 relating to the application for and receipt of the grants.

9 (Source: P.A. 91-239, eff. 1-1-00.)

10 Section 10. The Family Practice Residency Act is amended by
11 changing the title of the Act and Sections 1, 2, 3.03, 3.06,
12 3.07, 3.09, 4.01, 4.02, 4.07, 4.10, 4.11, 5, 6, and 9 as
13 follows:

14 (110 ILCS 935/Act title)

15 An Act to provide grants for primary care and other family
16 practice residency programs, and medical student scholarships,
17 and loan repayment assistance through the Illinois Department
18 of Public Health.

19 (110 ILCS 935/1) (from Ch. 144, par. 1451)

20 Sec. 1. This Act shall be known and may be cited as the
21 Medical Education Assistance Act "~~Family Practice Residency~~
22 ~~Act~~".

23 (Source: P.A. 80-478.)

1 (110 ILCS 935/2) (from Ch. 144, par. 1452)

2 Sec. 2. The purpose of this Act is to establish programs in
3 the Illinois Department of Public Health to upgrade ~~primary~~
4 health care services for all citizens of the State, to increase
5 access, and to reduce health care disparities by providing
6 grants to ~~family practice and preventive medicine~~ residency
7 programs, scholarships to medical students, and a loan
8 repayment program for ~~physicians and other~~ eligible health
9 ~~primary~~ care providers who will agree to practice in areas of
10 the State demonstrating the greatest need for more professional
11 medical care. The programs shall encourage ~~family practice~~
12 ~~physicians and other~~ eligible health care ~~primary care~~
13 providers to locate in areas where health manpower shortages
14 exist and to increase the total number of ~~family practice~~
15 ~~physicians and other~~ eligible health care ~~primary care~~
16 providers in the State.

17 (Source: P.A. 98-674, eff. 6-30-14.)

18 (110 ILCS 935/3.03) (from Ch. 144, par. 1453.03)

19 Sec. 3.03. "Committee" means the Advisory Committee for
20 ~~Family Practice~~ Residency Programs created by this Act.

21 (Source: P.A. 80-478.)

22 (110 ILCS 935/3.06) (from Ch. 144, par. 1453.06)

23 Sec. 3.06. "Residency ~~Family practice residency~~ program"

1 means a program accredited by the Accreditation Council for
2 Graduate Medical Education~~7~~ or the Committee on Postdoctoral
3 Training of the American Osteopathic Association.

4 (Source: P.A. 84-1341.)

5 (110 ILCS 935/3.07) (from Ch. 144, par. 1453.07)

6 Sec. 3.07. "Eligible medical student" means a person who
7 meets all of the following qualifications:

8 (a) he or she is an Illinois resident at the time of
9 application for a scholarship under the program
10 established by this Act;

11 (b) he or she is studying medicine in a medical school
12 located in Illinois;

13 (c) he or she exhibits financial need as determined by
14 the Department; and

15 (d) he or she agrees to practice full-time in a
16 Designated Shortage Area as a primary care physician,
17 general surgeon, emergency medicine physician,
18 obstetrician, or psychiatrist one year for each year he or
19 she is a scholarship recipient.

20 (Source: P.A. 84-1341.)

21 (110 ILCS 935/3.09)

22 Sec. 3.09. Eligible health care provider ~~primary care~~
23 ~~providers~~. "Eligible health care provider ~~primary care~~
24 ~~providers~~" means a primary care physician, general surgeon,

1 emergency medicine physician, obstetrician, or psychiatrist
2 ~~health care providers within specialties determined to be~~
3 ~~eligible by the U.S. Health Resources and Services~~
4 ~~Administration for the National Health Service Corps Loan~~
5 ~~Repayment Program.~~

6 (Source: P.A. 98-674, eff. 6-30-14.)

7 (110 ILCS 935/4.01) (from Ch. 144, par. 1454.01)

8 Sec. 4.01. To allocate funds to ~~family practice~~ residency
9 programs according to the following priorities:

10 (a) to increase the number of eligible health care
11 providers ~~family practice physicians~~ in Designated
12 Shortage Areas;

13 (b) (blank); ~~to increase the percentage of~~
14 ~~obstetricians establishing practice within the State upon~~
15 ~~completion of residency;~~

16 (c) to increase the number of accredited, eligible
17 health care provider ~~family practice~~ residencies within
18 the State;

19 (d) to increase the percentage of eligible health care
20 providers ~~family practice physicians~~ establishing practice
21 within the State upon completion of residency; and

22 (e) to provide funds for rental of office space,
23 purchase of equipment, and other uses necessary to enable
24 eligible health care providers ~~family practitioners~~ to
25 locate their practices in communities located in

1 designated shortage areas.

2 (Source: P.A. 86-1384.)

3 (110 ILCS 935/4.02) (from Ch. 144, par. 1454.02)

4 Sec. 4.02. To determine the procedures for the distribution
5 of the funds to ~~family practice~~ residency programs, including
6 the establishment of eligibility criteria in accordance with
7 the following guidelines:

8 (a) preference for programs which are to be established
9 at locations which exhibit potential for extending
10 eligible health care provider ~~family practice physician~~
11 availability to Designated Shortage Areas;

12 (b) preference for programs which are located away from
13 communities in which medical schools are located; and

14 (c) preference for programs located in hospitals
15 having affiliation agreements with medical schools located
16 within the State.

17 In distributing such funds, the Department may also
18 consider as secondary criteria whether a ~~family practice~~
19 residency program has:

20 (1) Adequate courses of instruction in the behavioral
21 sciences;

22 (2) Availability and systematic utilization of
23 opportunities for residents to gain experience through
24 local health departments or other preventive or
25 occupational medical facilities;

1 (3) A continuing program of community-oriented
2 research in such areas as risk factors in community
3 populations, immunization levels, environmental hazards,
4 or occupational hazards;

5 (4) Sufficient mechanisms for maintenance of quality
6 training, such as peer review, systematic progress
7 reviews, referral system, and maintenance of adequate
8 records; and

9 (5) An appropriate course of instruction in societal,
10 institutional, and economic conditions affecting a rural
11 health care ~~family~~ practice.

12 (Source: P.A. 81-321.)

13 (110 ILCS 935/4.07) (from Ch. 144, par. 1454.07)

14 Sec. 4.07. To coordinate the ~~family~~ residency grants
15 program established under this Act with the program
16 administered by the Illinois Board of Higher Education under
17 the "Health Services Education Grants Act".

18 (Source: P.A. 80-478.)

19 (110 ILCS 935/4.10) (from Ch. 144, par. 1454.10)

20 Sec. 4.10. To establish programs, and the criteria for such
21 programs, for the repayment of the educational loans of ~~primary~~
22 ~~care physicians and other~~ eligible health ~~primary~~ care
23 providers who agree to serve in Designated Shortage Areas for a
24 specified period of time, no less than 2 years. Payments under

1 this program may be made for the principal, interest, and
2 related expenses of government and commercial loans received by
3 the individual for tuition expenses, and all other reasonable
4 educational expenses incurred by the individual. Payments made
5 under this provision shall be exempt from Illinois State Income
6 Tax. The Department may use tobacco settlement recovery funding
7 or other available funding to implement this Section.

8 (Source: P.A. 98-674, eff. 6-30-14.)

9 (110 ILCS 935/4.11) (from Ch. 144, par. 1454.11)

10 Sec. 4.11. To require ~~family practice~~ residency programs
11 seeking grants under this Act to make application according to
12 procedures consistent with the priorities and guidelines
13 established in Sections 4.01 and 4.02 of this Act.

14 (Source: P.A. 80-478.)

15 (110 ILCS 935/5) (from Ch. 144, par. 1455)

16 Sec. 5. The Advisory Committee for ~~Family Practice~~
17 Residency Programs is created and shall consult with the
18 Director in the administration of this Act. The Committee shall
19 consist of 9 members appointed by the Director, 4 of whom shall
20 be eligible health care providers ~~family practice physicians,~~
21 one of whom shall be the dean or associate or deputy dean of a
22 medical school in this State, and 4 of whom shall be
23 representatives of the general public. Terms of membership
24 shall be 4 years. Initial appointments by the Director shall be

1 staggered, with 4 appointments terminating January 31, 1979 and
2 4 terminating January 31, 1981. Each member shall continue to
3 serve after the expiration of his term until his successor has
4 been appointed. No person shall serve more than 2 terms.
5 Vacancies shall be filled by appointment for the unexpired term
6 of any member in the same manner as the vacant position had
7 been filled. The Committee shall select from its members a
8 chairman from among the eligible health care provider ~~family~~
9 ~~practice physician~~ members, and such other officers as may be
10 required. The Committee shall meet as frequently as the
11 Director deems necessary, but not less than once each year. The
12 Committee members shall receive no compensation but shall be
13 reimbursed for actual expenses incurred in carrying out their
14 duties.

15 (Source: P.A. 92-635, eff. 7-11-02.)

16 (110 ILCS 935/6) (from Ch. 144, par. 1456)

17 Sec. 6. Residency ~~Family practice residency~~ programs
18 seeking funds under this Act shall make application to the
19 Department. The application shall include evidence of local
20 support for the program, either in the form of funds, services,
21 or other resources. The ratio of State support to local support
22 shall be determined by the Department in a manner that is
23 consistent with the purpose of this Act as stated in Section 2
24 of this Act. In establishing such ratio of State to local
25 support, the Department may vary the amount of the required

1 local support depending upon the criticality of the need for
2 more professional health care services and~~r~~ the geographic
3 location and the economic base of the Designated Shortage Area.
4 (Source: P.A. 80-478.)

5 (110 ILCS 935/9) (from Ch. 144, par. 1459)

6 Sec. 9. The Department shall annually report to the General
7 Assembly and the Governor the results and progress of the
8 programs established by this Act on or before March 15th.

9 The annual report to the General Assembly and the Governor
10 shall include the impact of programs established under this Act
11 on the ability of designated shortage areas to attract and
12 retain eligible ~~physicians and other~~ health care providers
13 ~~personnel~~. The report shall include recommendations to improve
14 that ability.

15 The requirement for reporting to the General Assembly shall
16 be satisfied by filing copies of the report as required by
17 Section 3.1 of the General Assembly Organization Act, and
18 filing such additional copies with the State Government Report
19 Distribution Center for the General Assembly as is required
20 under paragraph (t) of Section 7 of the State Library Act.

21 (Source: P.A. 100-1148, eff. 12-10-18.)

22 (110 ILCS 935/7 rep.)

23 Section 15. The Family Practice Residency Act is amended by
24 repealing Section 7.

1 Section 20. The Nurses in Advancement Law is amended by
2 changing Section 1-20 as follows:

3 (110 ILCS 970/1-20) (from Ch. 144, par. 2781-20)

4 Sec. 1-20. Scholarship requirements. It shall be lawful for
5 any organization to condition any loan or grant upon the
6 recipient's executing an agreement to commit not more than 5
7 years of his or her professional career to the goals
8 specifically outlined within the agreement including a
9 requirement that recipient practice nursing or medicine in
10 specifically designated practice and geographic areas.

11 Any agreement executed by an organization and any recipient
12 of loan or grant assistance shall contain a provision for
13 liquidated damages to be paid for any breach of any provision
14 of the agreement, or any commitment contained therein, together
15 with attorney's fees and costs for the enforcement thereof. Any
16 such covenant shall be valid and enforceable in the courts of
17 this State as liquidated damages and shall not be considered a
18 penalty, provided that the provision for liquidated damages
19 does not exceed \$2,500 for each year remaining for the
20 performance of the agreement.

21 This Section shall not be construed as pertaining to or
22 limiting any liquidated damages resulting from scholarships
23 awarded under the Medical Education Assistance ~~Family Practice~~
24 ~~Residency~~ Act.

1 (Source: P.A. 92-651, eff. 7-11-02.)

2 Section 25. The Private Medical Scholarship Agreement Act
3 is amended by changing Section 3 as follows:

4 (110 ILCS 980/3) (from Ch. 144, par. 2703)

5 Sec. 3. Any such agreement executed by such an organization
6 and any recipient of loan, grant assistance or recommendation
7 may contain a provision for liquidated damages to be paid for
8 any breach of any provision of the agreement, or any commitment
9 contained therein, together with attorney's fees and costs for
10 the enforcement thereof. Any such covenant shall be valid and
11 enforceable in the courts of this State as liquidated damages
12 and shall not be considered a penalty, provided that such
13 provision for liquidated damages does not exceed \$2,500 for
14 each year remaining for the performance of such agreement.

15 This Section shall not be construed as pertaining to or
16 limiting any liquidated damages resulting from scholarships
17 awarded under the Medical Education Assistance ~~"Family
18 Practice Residency Act"~~, as amended.

19 (Source: P.A. 86-999.)

20 Section 30. The Illinois Public Aid Code is amended by
21 changing Section 12-4.24a as follows:

22 (305 ILCS 5/12-4.24a) (from Ch. 23, par. 12-4.24a)

1 Sec. 12-4.24a. Report and recommendations concerning
2 designated shortage area. The Illinois Department shall
3 analyze payments made to providers of medical services under
4 Article V of this Code to determine whether any special
5 compensatory standard should be applied to payments to such
6 providers in designated shortage areas as defined in Section
7 3.04 of the Medical Education Assistance ~~Family Practice~~
8 Residency Act, ~~as now or hereafter amended~~. The Illinois
9 Department shall, not later than June 30, 1990, report to the
10 Governor and the General Assembly concerning the results of its
11 analysis, and may provide by rule for adjustments in its
12 payment rates to medical service providers in such areas.

13 (Source: P.A. 92-111, eff. 1-1-02.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."