

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

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  
10 Illinois lack adequate access to obstetrical care. The primary  
11 cause of this problem is the absence of qualified  
12 practitioners who are willing to offer obstetrical services. A  
13 significant barrier to recruiting and retaining those  
14 practitioners is the high cost of professional liability  
15 insurance for practitioners offering obstetrical care.

16 Therefore, the Department, from funds appropriated for  
17 that purpose, shall award grants to physicians practicing  
18 obstetrics in rural designated shortage areas, as defined in  
19 Section 3.04 of the Underserved Health Care Provider ~~Physician~~  
20 Workforce Act, for the purpose of reimbursing those physicians  
21 for the costs of obtaining malpractice insurance relating to  
22 obstetrical services. The Department shall establish  
23 reasonable conditions, standards, and duties relating to the

1 application for and receipt of the grants.

2 (Source: P.A. 101-118, eff. 7-22-19.)

3 Section 10. The Underserved Physician Workforce Act is  
4 amended by changing Sections 1, 3.04, and 3.09 as follows:

5 (110 ILCS 935/1) (from Ch. 144, par. 1451)

6 Sec. 1. This Act shall be known and may be cited as the  
7 Underserved Health Care Provider ~~Physician~~ Workforce Act.

8 (Source: P.A. 101-118, eff. 7-22-19.)

9 (110 ILCS 935/3.04) (from Ch. 144, par. 1453.04)

10 Sec. 3.04. "Designated Shortage Area" means an area  
11 designated by the Director as a physician shortage area, a  
12 medically underserved area, or a critical health manpower  
13 shortage area as defined by the United States Department of  
14 Health, Education and Welfare, or as further defined by the  
15 Department to enable it to effectively fulfill the purpose  
16 stated in Section 2 of this Act. Such areas may include the  
17 following:

18 (a) an urban or rural area which is a rational area for  
19 the delivery of health services;

20 (b) a population group; ~~or~~

21 (c) a public or nonprofit private medical facility;

22 or;

23 (d) a government-owned, privately owned, independent,

1       or provider-based Rural Health Clinic or hospital that  
2       accepts Medicaid, Medicare, the State's Children's Health  
3       Insurance Program, private insurance, and self-pay.

4       (Source: P.A. 80-478.)

5               (110 ILCS 935/3.09)

6       Sec. 3.09. Eligible health care provider. "Eligible health  
7       care provider" means a primary care physician, general  
8       surgeon, emergency medicine physician, ~~or~~ obstetrician,  
9       advanced practice registered nurse, or physician assistant who  
10       accepts Medicaid, Medicare, the State's Children's Health  
11       Insurance Program, private insurance, and self-pay.

12       (Source: P.A. 101-118, eff. 7-22-19.)

13       Section 15. The Nurses in Advancement Law is amended by  
14       changing Section 1-20 as follows:

15               (110 ILCS 970/1-20) (from Ch. 144, par. 2781-20)

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

23       Any agreement executed by an organization and any

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

10 This Section shall not be construed as pertaining to or  
11 limiting any liquidated damages resulting from scholarships  
12 awarded under the Underserved Health Care Provider ~~Physician~~  
13 Workforce Act.

14 (Source: P.A. 101-118, eff. 7-22-19.)

15 Section 20. The Private Medical Scholarship Agreement Act  
16 is amended by changing Section 3 as follows:

17 (110 ILCS 980/3) (from Ch. 144, par. 2703)

18 Sec. 3. Any such agreement executed by such an  
19 organization and any recipient of loan, grant assistance or  
20 recommendation may contain a provision for liquidated damages  
21 to be paid for any breach of any provision of the agreement, or  
22 any commitment contained therein, together with attorney's  
23 fees and costs for the enforcement thereof. Any such covenant  
24 shall be valid and enforceable in the courts of this State as

1 liquidated damages and shall not be considered a penalty,  
2 provided that such provision for liquidated damages does not  
3 exceed \$2,500 for each year remaining for the performance of  
4 such agreement.

5 This Section shall not be construed as pertaining to or  
6 limiting any liquidated damages resulting from scholarships  
7 awarded under the Underserved Health Care Provider ~~Physician~~  
8 Workforce Act.

9 (Source: P.A. 101-118, eff. 7-22-19.)

10 Section 25. The Illinois Public Aid Code is amended by  
11 changing Section 12-4.24a as follows:

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

13 Sec. 12-4.24a. Report and recommendations concerning  
14 designated shortage area. The Illinois Department shall  
15 analyze payments made to providers of medical services under  
16 Article V of this Code to determine whether any special  
17 compensatory standard should be applied to payments to such  
18 providers in designated shortage areas as defined in Section  
19 3.04 of the Underserved Health Care Provider ~~Physician~~  
20 Workforce Act. The Illinois Department shall, not later than  
21 June 30, 1990, report to the Governor and the General Assembly  
22 concerning the results of its analysis, and may provide by  
23 rule for adjustments in its payment rates to medical service  
24 providers in such areas.

1 (Source: P.A. 101-118, eff. 7-22-19.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.