

1 AN ACT concerning insurance.

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

4 Section 1. Short title. This Act may be cited as the  
5 Medical School Loan Repayment Program Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Public Health.

8 "Low-income area" means an area or neighborhood in this  
9 State where a majority of residents are at or below 300% of the  
10 federal poverty level.

11 Section 10. Loan Repayment Program.

12 (a) The Department shall establish a Loan Repayment Program  
13 for physicians licensed to practice medicine in all of its  
14 branches who agree to practice in low-income areas or in rural  
15 counties with a population of less than 20,000 persons. In  
16 order to qualify for the Loan Repayment Program, the physician  
17 must agree to practice in a low-income area or rural county  
18 with a population of less than 20,000 persons for a contractual  
19 period of at least 3 years, but no longer than 5 years. A  
20 physician participating in the Loan Repayment Program shall  
21 receive \$10,000 per year for the contractual period to be used  
22 towards the repayment of student loans for medical school. The

1 Medical School Loan Repayment Fund is created as a special fund  
2 in the State treasury. Moneys in the Fund shall be used,  
3 subject to appropriation, by the Department to finance the Loan  
4 Repayment Program.

5 (b) The Department must do the following:

6 (1) develop and make available application forms for  
7 assistance under this Act;

8 (2) administer use of moneys in the Medical School Loan  
9 Repayment Fund; and

10 (3) exercise all powers necessary to implement this  
11 Act.

12 (c) If funding available from the Medical School Loan  
13 Repayment Fund is insufficient to provide assistance to all  
14 physicians who apply for loan repayment assistance under this  
15 Act, the Department may, at its discretion, reduce the payments  
16 to each eligible physician by a pro rata amount in a manner  
17 designed to maximize the number of physicians who may receive  
18 loan repayment assistance under this Act.

19 (d) In addition to any other civil or criminal penalties  
20 that may be imposed by law, any physician who fails or refuses  
21 to fulfill the terms required under this Section is in breach  
22 of the contract. The Department may obtain the assistance of  
23 the Attorney General to recoup the amount of assistance  
24 provided under the contract together with attorney fees and  
25 other costs of collection.

1           Section 15. No authority to make or promulgate rules.  
2           Notwithstanding any other rulemaking authority that may exist,  
3           neither the Governor nor any agency or agency head under the  
4           jurisdiction of the Governor has any authority to make or  
5           promulgate rules to implement or enforce the provisions of this  
6           Act. If, however, the Governor believes that rules are  
7           necessary to implement or enforce the provisions of this Act,  
8           the Governor may suggest rules to the General Assembly by  
9           filing them with the Clerk of the House and Secretary of the  
10          Senate and by requesting that the General Assembly authorize  
11          such rulemaking by law, enact those suggested rules into law,  
12          or take any other appropriate action in the General Assembly's  
13          discretion. Nothing contained in this Act shall be interpreted  
14          to grant rulemaking authority under any other Illinois statute  
15          where such authority is not otherwise explicitly given. For the  
16          purposes of this Act, "rules" is given the meaning contained in  
17          Section 1-70 of the Illinois Administrative Procedure Act, and  
18          "agency" and "agency head" are given the meanings contained in  
19          Sections 1-20 and 1-25 of the Illinois Administrative Procedure  
20          Act to the extent that such definitions apply to agencies or  
21          agency heads under the jurisdiction of the Governor.

22           Section 90. The State Finance Act is amended by adding  
23          Section 5.675 as follows:

24           (30 ILCS 105/5.675 new)

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Sec. 5.675. The Medical School Loan Repayment Fund.