

216-RICR-20-15-1

TITLE 216 – DEPARTMENT OF HEALTH

CHAPTER 20 – COMMUNITY HEALTH

SUBCHAPTER 15 – INFORMATION FOR HEALTH CARE PROFESSIONALS

Part 1 – Health Professional Loan Repayment Program

1.1 Authority

These regulations are established pursuant to the authority conferred by R.I. Gen. Laws § 23-14.1-5(6) for the purpose of adopting standards for the implementation of the State Loan Repayment Program in order to improve statewide access to primary medical care, mental health care, and dental care by providing educational loan repayment to health professionals committed to work in federally designated primary care health professional shortage areas, dental health professional shortage areas, or mental health care professional shortage areas.

1.2 Definitions

A. Wherever used in this Part the following terms shall be construed as follows:

1. “Board” means the Health Professional Loan Repayment Board.
2. “Community health center” means the health care facility as defined and licensed under R.I. Gen. Laws Chapter [23-17](#).
3. “Director” means the Director of the Rhode Island Department of Health.
4. “Eligible health professional” means a physician, dentist, dental hygienist, nurse practitioner, certified nurse midwife, physician assistant, or any other eligible health care professional under the Public Health Service Act licensed in the State, who has entered into a contract with the board to serve medically underserved populations.
5. “Health care facility” includes, but is not limited to, hospital ambulatory care facilities, organized ambulatory care facilities or other entities delivering medical, mental health, or dental services. Said facility must be a non-profit organization or agency.

6. “HPSA” means a designated Health Professional Shortage Area as defined by the Shortage Designation Branch of the Bureau of Health Workforce, within the Health Resources and Services Administration, U.S. Department of Health and Human Services.
7. “HPLRP” means the Health Professional Loan Repayment Program whose purpose shall be to provide loan repayment to eligible health professionals for qualifying loans relating to the graduate or undergraduate education as a recruitment or retention incentive for health professionals to practice in high-need areas.
8. “Loan repayment” means an amount of money to be repaid to satisfy loan obligations incurred to obtain a degree or certification in an eligible health professional.
9. “Qualifying loans” are government and commercial loans for actual costs paid for tuition, reasonable educational expenses, and reasonable living expenses relating to the graduate or undergraduate education of a health professional.
10. “RIOPC” means the Rhode Island Office of the Postsecondary Commissioner.
11. “Site” means a community health center located in a federally designated HPSA or other entity delivering medical, mental health, or dental services. Said entity shall be a non-profit organization or agency.

1.3 General Requirements and Administrative Procedures

1.3.1 The Health Professional Loan Repayment Board

- A. In order to participate in the HPLR Program, health professionals and sites must apply for and obtain approval from the Board based upon the criteria set forth in this Part and the availability of funds.
- B. The Board shall receive, review and evaluate all applications from sites and health care professionals to determine eligibility for participation in the program based on criteria set forth in this Part and the availability of funding. Once approval is granted, the health professional must enter into a contract with the RIOPC and adhere to requirements of the contract to maintain participation.
- C. Composition of the Board and appointment of the Board’s chairperson are pursuant to R.I. Gen. Laws §§ [23-14.1-4\(a\) and \(b\)](#).

- D. Terms of appointment and compensation are pursuant to R.I. Gen. Laws § 23-14.1-4(a).
- E. In addition to the duties stated in R.I. Gen. Laws § [23-14.1-5](#), the Board shall:
1. Score and rank site applications and approve sites for funding;
 2. Maintain oversight of the health professional's adherence of contracts;
 3. Recommend to the Director termination of contracts for imposition of penalties where health professional fails to comply with the terms of the contract or this Part;
 4. Review and approve, when appropriate, all requests for contract extensions up to 6 months; no contract can be extended for more than 6 months unless compelling evidence of need is presented to the Board; and
 5. Review and approve, when appropriate, all requests for termination of contracts.

1.3.2 Requirements for Eligibility for Sites

- A. In order for a site to obtain approval for a funded position of a health professional qualified under the HPLR Program, the site must:
1. Be located in a federally designated HPSA;
 2. Agree that it will accept assignment under § 1842 (b)(3)(B)(ii) of the Social Security Act for all services for which payment may be made under Part B of Title XVIII;
 3. Not discriminate on the basis of the ability of the individual to pay for such care or on the basis that payment for such care will be made pursuant to the program established in Title XVIII (Medicare) of the Social Security Act, or pursuant to the program established in Title XIX (Medicaid) of such Act;
 4. Submit an application to the Board and documentation satisfactory to the Board that the site meets the requirements;
 5. Agree to report to the Board those health professionals unable to fulfill the contract; and
 6. Be a non-profit organization or agency.

1.3.3 Requirements for Eligibility for Health Care Professional

- A. In order to obtain approval to participate in the HPLR Program, the health care professional must:
1. Have a valid contract for a two year commitment to provide full-time services at a site that has been approved for funding, or have a valid contract for a four year commitment to provide part-time services at a site that has been approved for funding;
 2. Present evidence of outstanding loan obligations;
 3. Be licensed or in the process for applying for a license or certification in the appropriate profession;
 4. Be a citizen of the United States;
 5. Agree to comply with all contract provisions and the rules and regulations as promulgated by the Board; and
 6. Submit to the Board an application form and documentation satisfactory to the Board that he/she meets all requirements for eligibility.
- B. Health care professionals are not eligible to participate:
1. If they have previously incurred an obligation for health professional service to the Federal, State, or local government, or other entity unless the obligation is completely satisfied prior to the beginning of service under this program;
 2. If a breach of obligation has occurred for health professional service to the Federal Government, State Government or other entity;
 3. And shall not be allowed credit for any practice done while in a professional school or graduate training programs; and
 4. Shall not be allowed loan repayment for any professional practice performed prior to the effective date of the health professional's HPLR contract.
- C. Requirements of the health professional to maintain eligibility:
1. After a health care professional has been awarded a loan repayment contract, he/she must comply with the following practice:

- a. Charge for professional services at the usual and customary rates prevailing in the areas in which such services are provided. If a person is unable to pay such charge, such person shall be charged at a reduced rate or not charged any fee;
 - b. Must serve in the clinical practice of their profession full time (40 hours per week), with no more than 20% of the time devoted to administrative work;
 - c. Agree that, in providing primary health services, he/she will not, in the case of any individual seeking care, discriminate on the basis of the ability of the individual to pay for such care or on the basis that payment for such care will be made pursuant to the program established in Title XVII (Medicare) of the Social Security Act or pursuant to the program established in Title XIX (Medicaid) of such Act;
 - d. Agree that he/she will accept assignment under § 1842 (b)(3)(B)(ii) of the Social Security Act for all services for which payment may be made under Part B of Title XVII and will enter into an appropriate agreement with the State agency that administers the State plan for medical assistance under Title XIX of such Act to provide service to individuals entitled to medical assistance under the plan; and
- D. The health professional may not engage in any activity which is in violation of the contract or this Part.

1.3.4 Board Approval

The Board shall approve for participation all eligible applicants who meet the criteria stated in §§ 1.3.2 and 1.3.3 of this Part. The loan repayment amount will be based upon fund availability and priorities established by the Board.

1.3.5 Duties of the Director

- A. The Director shall:
 - 1. Grant loan repayment to successful applicants as determined by the Board.

1.3.6 Duties of RIOPC

- A. The RIOPC shall have the responsibility to process all approved applications including:

1. Confirmation of existing loan and amount, and determination if the health care provider has defaulted on any other loans;
2. Issue payment to the lender, upon receiving Board notification that the medical care provider qualifies for loan repayment; and
3. Implement legal proceedings against those health professionals determined to be in breach of contract.

1.3.7 Breach of Contract

Penalties for failure to complete contracts pursuant to this Part are pursuant to R.I. Gen. Laws § 23-14.1-9 and [42 U.S.C. 6\(A\), Subchapter II, Part D, Subpart iii, § 254o.](#)

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Editorial Note: This Part was filed with the Department of State prior to the launch of the Rhode Island Code of Regulations. As a result, this digital copy is presented solely as a reference tool. To obtain a certified copy of this Part, contact the Administrative Records Office at (401) 222-2473.