

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Flanagin**

A Bill

ACT 1089 OF 1995
HOUSE BILL 1036

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §§20-12-501, 20-12-502, AND
9 20-12-503 TO EXCLUDE POPULATION AS A MEASURE FOR
10 DESIGNATING A RURAL AREA FOR FINANCIAL ASSISTANCE FOR THE
11 PHYSICIAN RECRUITMENT AND RETENTION PROGRAM; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "TO EXCLUDE POPULATION AS A MEASURE FOR
16 FINANCIAL ASSISTANCE FOR THE PHYSICIAN
17 RECRUITMENT AND RETENTION PROGRAM."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 20-12-501 is hereby amended to read as
22 follows:

23 "20-12-501. Purpose - Grant established.

24 (a) It is the purpose and intent of this subchapter to establish a
25 program of financial assistance to encourage physicians to locate in and
26 remain in the practice of family medicine in communities of the state that
27 have a population of fifteen thousand (15,000) inhabitants or less according
28 to the 1990 Decennial Federal Census. The census from federal or state penal
29 institutions, federal or state human services institution, institutions of
30 higher education, or any similar facility shall not be included in the census
31 figure when defining a city, town or other area under this subchapter. It is
32 the intent of the General Assembly that physicians who locate in and carry on
33 a full-time practice of family medicine in such communities after March 5,
34 1991, shall be entitled to receive a grant for each whole calendar year of
35 full-time practice, not to exceed five (5) years of assistance. In order to
36 enhance the retention as well as the recruitment of physicians to rural

1 communities, physicians will be awarded grants for continuous service in
2 qualifying full-time practice in the same rural community as follows:

- 3 (1) For first year of full-time practice in a rural
4 community \$ 6,000
- 5 (2) For second year of continuous full-time practice in qualifying
6 community 8,000
- 7 (3) For third year of continuous full-time practice in qualifying
8 community 10,000
- 9 (4) For fourth year of continuous full-time practice in qualifying
10 community 12,000
- 11 (5) For fifth year of continuous full-time practice in qualifying
12 community 14,000

13 (b) It is further the intent of this subchapter that individuals who
14 were assisted by the Arkansas Rural Medical Practice Student Loan and
15 Scholarship Program are also eligible for benefits under this program."
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17 SECTION 2. Arkansas Code § 20-12-502 is hereby amended to read as
18 follows:

19 "20-12-502. Administration by Department of Health.

20 The program established in this subchapter shall be administered by the
21 Department of Health. The department shall:

- 22 (1) Accept applications for grants hereunder;
- 23 (2) Determine the eligibility of applicants and grant or deny such
24 grants from any funds available;
- 25 (3) Adopt and enforce appropriate rules and regulations regarding forms
26 to be used by applicants for grants, and eligibility of applicants, and such
27 other rules and regulations as the department deems necessary or appropriate
28 to carry out the purposes and intent of this subchapter and to prevent abuse
29 of the program provided for herein; and
- 30 (4) Develop criteria for evaluating medically underserved areas, which
31 shall include but not be limited to:
 - 32 (A) Infant mortality rate;
 - 33 (B) Poverty population percentage;
 - 34 (C) Population to primary care physician ratio; and
 - 35 (D) Teenage pregnancy rate."

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2 SECTION 3. Arkansas Code § 20-12-503 is hereby amended to read as
3 follows:

4 "20-12-503. Eligibility.

5 (a) (1) Any person licensed to practice medicine in this state who,
6 subsequent to March 5, 1991, establishes a full-time practice of family
7 medicine in a community in Arkansas *having a population of fifteen thousand*
8 *(15,000) inhabitants or less as set forth in A.C.A. § 20-12-501 or in an area*
9 *determined to be medically underserved due to an unmet need for medical*
10 *services, taking into consideration the ratio of primary care physicians to*
11 *population, infant mortality rate, percent of population below the poverty*
12 *level, percent of population and physicians age sixty (60) or over, and*
13 *accessibility of the area to primary care manpower, shall be eligible to make*
14 *application for a grant under the provisions of this subchapter in an amount*
15 *described under § 20-12-501. Grants will be awarded on the basis of available*
16 *funds, with priority given to rural communities having the greatest need.*

17 (2) Persons with an already established practice in the community
18 shall only be considered eligible under extreme circumstances threatening the
19 continuance of their service to the community, as determined by the State
20 Board of Health.

21 (b) Grant recipients shall enter into a contract to serve a
22 proportionate number of Medicaid patients for the community, agree to work
23 within the existing health care system, and practice a minimum of thirty-two
24 (32) hours a week.

25 (c) No applicant with professional income guarantees from other sources
26 shall be approved under this program."

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28 SECTION 4. All provisions of this act of a general and permanent nature
29 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
30 Revision Commission shall incorporate the same in the Code.

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32 SECTION 5. If any provision of this act or the application thereof to
33 any person or circumstance is held invalid, such invalidity shall not affect
34 other provisions or applications of the act which can be given effect without
35 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3 SECTION 6. All laws and parts of laws in conflict with this act are
4 hereby repealed.

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/s/Rep. Flanagan

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APPROVED: 4-10-95

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