

Act No. 37
Public Acts of 2022
Approved by the Governor
March 23, 2022
Filed with the Secretary of State
March 23, 2022
EFFECTIVE DATE: Sine Die

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Senator VanderWall

ENROLLED SENATE BILL No. 246

AN ACT to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 2705 (MCL 333.2705), as amended by 2016 PA 499.

The People of the State of Michigan enact:

Sec. 2705. (1) The department shall administer an essential health provider repayment program for designated professionals who have incurred a debt or expenses as a result of a loan taken to attend a medical school, dental school, mental health professional program, nursing program for the training of certified nurse midwives, certified nurse practitioners, or clinical nurse specialists-certified, or physician’s assistant program or as a result of providing services in a health resource shortage area. The department may each year repay all or part of a designated professional’s debt or expenses, but the amount repaid in any 1 year shall not exceed the amount described in subsection (3). The department shall repay a debt or expenses only for a designated professional who has entered into a written contract with the department that requires the designated professional to engage in the full-time practice of health care services in a health resource shortage area to which he or she is assigned by the department for a period equal in years to the number of years for which the department has agreed in the contract to make a debt or expense repayment, or for a period of 2 years, whichever is greater.

(2) A debt or expense repayment on behalf of a designated professional under subsection (1) for fulfilling a service obligation for a particular year must be paid in a lump sum at the completion of the service obligation for that year. A designated professional who does not fulfill a service obligation for a particular year forfeits his or her right to the debt or expense repayment or any part of it for that year and the department may treat an agreement for further debt or expense repayment in a subsequent year as void. In its sole discretion, the department may make a debt or expense repayment before or during each year of service if there are extenuating circumstances. In its sole discretion, the department may pay a pro rata amount of an agreed debt or expense repayment to a designated professional or his or her estate if 1 of the following occurs before the completion of the designated professional's service obligation:

(a) The designated professional dies.

(b) The designated professional is unable, by reason of permanent disability, to render the service.

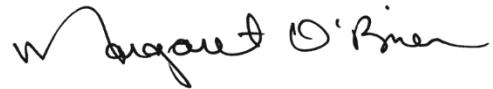
(c) Other circumstances prevail that are considered by the department to constitute a compelling reason to consider the service obligation fulfilled.

(3) In any year of a debt or expense repayment program, the maximum amount of a debt or expense repayment is \$40,000.00 per year. The maximum amount of debt or expense repayment the department may pay on behalf of a designated professional is \$300,000.00, paid over a period of 10 years or more. The written contract described in subsection (1) must include the amount the department shall pay on behalf of a designated professional and the amount payable for each year of service.


(4) The department may accept funds from any source for the operation of the essential health provider repayment program, and the department shall distribute those funds in a manner consistent with this section.

(5) The department shall give the essential health provider repayment program created by this section priority over the other programs created under this part.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 435 of the 101st Legislature is enacted into law.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor

Compiler's note: Senate Bill No. 435, referred to in enacting section 1, was filed with the Secretary of State March 23, 2022, and became 2022 PA 38, Imd. Eff. Mar. 23, 2022.