

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES
NOTICE OF PUBLIC HEARING

September 23, 2019
1:00 p.m. Central Time
Gold's Building, Room 534
1033 O Street, Lincoln, Nebraska

The purpose of this hearing is to receive comments on the adoption of amendments to and repeal of the following regulations:

The following regulation is proposed for AMENDMENT:

183 NAC 1 – *Student Loan Program Under the Rural Health Systems and Professional Incentive Act.*

The proposed changes will remove any duplicate statutory language from the regulations; streamline the regulations by combining the current Chapters 1 and 4 into one chapter of regulation; add language regarding medical residency; and update formatting.

The following regulation is proposed for REPEAL in its entirety. Relevant portions of the current Chapter 4 are being included in the proposed amendments to Chapter 1.

183 NAC 4 – *Loan Repayment Program under the Rural Health Systems and Professional Incentive Act.*

Authority for these regulations is found in Neb. Rev. Stat. § 81-3117(7).

Interested persons may attend the hearing and provide verbal or written comments or mail, fax or email written comments, no later than the day of the hearing to: DHHS Legal Services, PO Box 95026, Lincoln, NE 68509-5026, (402) 742-2382 or dhhs.regulations@nebraska.gov, respectively.

A copy of the proposed changes is available online at <http://www.sos.ne.gov>, or by contacting DHHS at the mailing address or email above, or by phone at (402) 471-8417. The fiscal impact statement for these proposed changes may be obtained at the office of the Secretary of State, Regulations Division, 1201 N Street, Suite 120, Lincoln, NE 68508, or by calling (402) 471-2385.

Auxiliary aids or reasonable accommodations needed to participate in a hearing can be requested by calling (402) 471-8417. Individuals with hearing impairments may call DHHS at (402) 471-9570 (voice and TDD) or the Nebraska Relay System at 711 or (800) 833-7352 TDD at least 2 weeks prior to the hearing.

FISCAL IMPACT STATEMENT

Agency: Department of Health and Human Services	
Title: 183 Financial Assistance	Prepared by: Sue Medinger/Rachael Wolfe
Chapter: 1 Rural Health Systems and Professional Incentive Act	Date prepared: 5/6/2019
Subject: Health Professional Incentives	Telephone: 402-471-0191

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	(<input checked="" type="checkbox"/>)	(<input checked="" type="checkbox"/>)	(<input checked="" type="checkbox"/>)
Increased Costs	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Decreased Costs	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Increased Revenue	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Decreased Revenue	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Indeterminable	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)

Provide an Estimated Cost & Description of Impact:

State Agency:

Political Subdivision:

Regulated Public:

If indeterminable, explain why:

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05-10-2019

NEBRASKA DEPARTMENT OF
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183 NAC 1

TITLE 183 FINANCIAL ASSISTANCE

CHAPTER 1 RURAL HEALTH SYSTEMS AND PROFESSIONAL INCENTIVE ACT

001. SCOPE AND AUTHORITY. These regulations govern the procedure for making awards under Nebraska Revised Statutes (Neb. Rev. Stats.) §§71-5650 to 71-5670 of the Rural Health Systems and Professional Incentive Act.

002. DEFINITIONS. Definitions set out in the Rural Health Systems and Professional Incentive Act and the following apply to this chapter.

002.01 FISCAL YEAR. Fiscal year means July 1 through June 30.

002.02 NEBRASKA RESIDENT. Nebraska Resident is defined by Neb. Rev. Stat. § 85-502 and the rules and regulations of the educational institution, which under Neb. Rev. Stat. § 85-501 determines resident status at the time of registration.

002.03 PART-TIME MASTER'S-LEVEL MENTAL HEALTH STUDENT. Part-time master's-level mental health student means a student who will complete a minimum of 12 but fewer than 18 credit hours per fiscal year.

003. ELIGIBILITY REQUIREMENTS. All applicants to participate in a program under the Rural Health and Systems and Professional Incentive Act must submit a complete Department approved application, meet the requirements of Neb. Rev. Stats. §§ 4-108 to 4-114, the statutory requirements of the Rural Health Systems and Professional Incentive Act, and the requirements of this chapter.

003.01 LOAN REPAYMENT PROGRAM. An applicant for participation in the loan repayment program must have a local entity that provides matching funds for the loan repayment and that must provide the Department with verification of the applicant's practice during the required practice obligation.

003.02 STUDENT LOAN PROGRAM. An applicant for participation in the student loan program must be a Nebraska resident and be enrolled as a full-time student during the fiscal year for which the loan may be granted. An applicant may be enrolled as a part-time master's level mental health student during the fiscal year for which the loan may be granted.

004. STUDENT LOAN PROGRAM REQUIREMENTS. An individual receiving a student loan must successfully complete sufficient credit hours at the educational institution to be considered a full-time student during the fiscal year for which the loan was granted, and a part-time master's level mental health student must successfully complete a minimum of 12 credit hours during the fiscal year for which the loan was granted. Doctorate-level students will not be awarded more

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than four loans through the program, and master's-level students will not be awarded more than two loans through the program.

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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

183 NAC 1

~~TITLE 183 — FINANCIAL ASSISTANCE~~

~~CHAPTER 1 — STUDENT LOAN PROGRAM UNDER THE RURAL HEALTH SYSTEMS AND
PROFESSIONAL INCENTIVE ACT~~

~~1-001 SCOPE AND PURPOSE OF REGULATIONS:~~ These rules and regulations are promulgated under the authority of and in compliance with ~~Neb. Rev. Stat. §§ 71-5650 to 71-5670~~, the Rural Health Systems and Professional Incentive Act. The purpose of these rules and regulations is to establish procedures for awarding student loans under the Act.

~~1-002 DEFINITIONS:~~ For the purpose of these rules and regulations, the following definitions apply:

~~Act means the Rural Health Systems and Professional Incentive Act.~~

~~Approved dental specialty means general practice, pediatric dentistry, and oral surgery.~~

~~Approved medical specialty means family practice, general practice, general internal medicine, general pediatrics, general surgery, obstetrics/gynecology, and psychiatry.~~

~~Approved mental health practice program means an approved educational program consisting of a master's or doctorate degree with the focus being primarily therapeutic mental health and meeting the educational requirements for licensure in mental health practice or psychology by the Department.~~

~~Commission means the Nebraska Rural Health Advisory Commission.~~

~~Department means the Department of Health and Human Services, Division of Public Health.~~

~~Doctorate-level mental health student means a graduate student enrolled in or accepted for enrollment in an approved mental health practice program leading to a doctorate degree and meeting the educational requirements for licensure in psychology by the Department.~~

~~Fiscal year means July 1 through June 30.~~

~~Health care means both somatic and mental health care services.~~

~~Master's-level mental health student means a graduate student enrolled in or accepted for enrollment in an approved mental health practice program leading to a master's degree and meeting the educational requirements for licensure in mental health practice by the Department.~~

~~Nebraska resident is defined by Neb. Rev. Stat. § 85-502 and the rules and regulations of the educational institution, which under Neb. Rev. Stat. § 85-501 determines resident status at the time of registration.~~

~~Part-time master's-level mental health student means a student who will complete a minimum of 12 but fewer than 18 credit hours per fiscal year.~~

~~Rural means located within any county in Nebraska having a population of less than 15,000 inhabitants and not included within a metropolitan statistical area as defined by the United States Department of Commerce, Bureau of the Census.~~

~~1-003 ELIGIBILITY REQUIREMENTS: An individual, in order to be eligible for a student loan, must:~~

- ~~1. Be enrolled or accepted for enrollment in an accredited medical education program, dental education program, physician assistant education program, or an approved graduate-level mental health practice program in Nebraska;~~
- ~~2. Be a Nebraska resident and, for the purpose of complying with Neb. Rev. Stat. §§ 4-108 to 4-114, attest that s/he is a U.S. citizen or a qualified alien lawfully present in the U.S.~~
- ~~3. Submit an application containing information specified by the Commission;~~
- ~~4. Grant an interview, if requested, by members of the Commission as part of the application process. The interview will be limited to matters relevant to determining the likelihood that the applicant will practice in a health profession shortage area. Interviews will be conducted as soon as possible after June 1, but no later than July 15;~~
- ~~5. Have motivation and preference to practice in a shortage area of the State of Nebraska as designated by the Commission;~~
- ~~6. If a medical or physician assistant student, have motivation and preference to practice an approved medical specialty upon completion of formal professional training, which may include up to five years of residency training;~~
- ~~7. If a dental student, have motivation and preference to practice an approved dental specialty upon completion of formal professional training, which may include up to five years of residency training; and~~
- ~~8. Sign an agreement with the State of Nebraska.~~

~~1-003.01~~ Doctorate-level students will not be awarded more than four loans through the program, and master's-level students will not be awarded more than two loans through the program.

~~1-003.02~~ Credit hours must be completed during the fiscal year for which the loan was granted.

~~1.003.03~~ A part-time master's level mental health student must complete a minimum of 12 credit hours during the fiscal year for which the loan was granted.

~~1-004~~ SUPPLEMENTAL SCREENING FACTORS: In consideration of granting loans, the prioritizing of applicants will include, as a minimum, whether the applicant has incurred any other service obligations which might influence his or her choice of a practice area.

In addition, the following factors may be considered as positive indicators of motivation to practice in a health profession shortage area:

- ~~1.~~ Demonstration of a background of residence in a rural area or health profession shortage area;
- ~~2.~~ Demonstration of a background of education in a rural area or health profession shortage area;
- ~~3.~~ Demonstration of family ties to a rural area or health profession shortage area; or
- ~~4.~~ Demonstration of a work history involving health care in a rural area or health profession shortage area.

~~1-005~~ DESIGNATION OF HEALTH PROFESSION SHORTAGE AREAS: The Rural Health Advisory Commission will designate an area as being a health profession shortage area if, in addition to the factors mentioned in the Act, the following two criteria are met:

- ~~1.~~ The area is a rational area for the delivery of health care services; and
- ~~2.~~ One of the following conditions prevails within the area:
 - ~~a.~~ The area's population-to-practitioner ratio exceeds the acceptable ratio set by the Commission; or
 - ~~b.~~ The area's population-to-practitioner ratio is within a range set by the Commission and the area has one or more high need indicators as set by the Commission.

~~1-006~~ APPLICATION PERIOD: Applications will be accepted annually between April 1 and June 1. Applications must be postmarked no earlier than April 1 or later than June 1. Applications postmarked prior to or on June 1 must be received no later than June 5. Applications will not be accepted prior to April 1 or after June 5. Faxed applications must be sent no earlier than April 1 or later than June 1.

TITLE 183 - FINANCIAL ASSISTANCE

CHAPTER 4 - (Repealed)