



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1327

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H.P. 979

House of Representatives, March 30, 2021

### **An Act To Create the Maine Health Care Provider Loan Repayment Program**

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Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BAILEY of Gorham.  
Cosponsored by Representatives: CROCKETT of Portland, EVANS of Dover-Foxcroft, FAY of Raymond, PEBWORTH of Blue Hill, ROBERTS of South Berwick, SYLVESTER of Portland, Senator: DAUGHTRY of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §12004-I, sub-§18-G** is enacted to read:

3 **18-G.**

4 Education: Maine Health Care Provider Loan Not Authorized 20-A MRSA  
5 Financial Aid Repayment Program Advisory Committee §12955  
6

7 **Sec. 2. 20-A MRSA c. 441** is enacted to read:

8 **CHAPTER 441**

9 **MAINE HEALTH CARE PROVIDER LOAN REPAYMENT PROGRAM**

10 **§12951. Definitions**

11 As used in this chapter, unless the context otherwise indicates, the following terms  
12 have the following meanings.

13 **1. Advisory committee.** "Advisory committee" means the Maine Health Care  
14 Provider Loan Repayment Program Advisory Committee established in Title 5, section  
15 12004-I, subsection 18-G.

16 **2. Authority.** "Authority" means the Finance Authority of Maine.

17 **3. Direct care worker.** "Direct care worker" means an individual who by virtue of  
18 employment generally provides to individuals direct contact assistance with personal care  
19 or activities of daily living or has direct access to provide care and services to clients,  
20 patients or residents regardless of setting. "Direct care worker" does not include a certified  
21 nursing assistant employed in that person's capacity as a certified nursing assistant.

22 **4. Fund.** "Fund" means the Maine Health Care Provider Loan Repayment Program  
23 Fund established in section 12953.

24 **5. Program.** "Program" means the Maine Health Care Provider Loan Repayment  
25 Program established in section 12952.

26 **6. Underserved area.** "Underserved area" means an area in the State that is a health  
27 professional shortage area or medically underserved area or that contains a medically  
28 underserved population, as those terms are defined by the federal Department of Health  
29 and Human Services, Health Resources and Services Administration.

30 **§12952. Maine Health Care Provider Loan Repayment Program established**

31 The Maine Health Care Provider Loan Repayment Program is established within the  
32 Finance Authority of Maine for the purpose of increasing the number of health care  
33 providers practicing in the State.

34 **§12953. Maine Health Care Provider Loan Repayment Program Fund**

35 **1. Fund created.** The Maine Health Care Provider Loan Repayment Program Fund  
36 is established in the authority as a nonlapsing, interest-earning, revolving fund to carry out  
37 the purposes of this chapter. The fund consists of money received from 25% of the proceeds

1 from the renewal of the contract for the operations of the State's wholesale spirits business  
2 under Title 28-A, section 90; existing funding for other authority programs that may, at the  
3 discretion of the authority, be combined with the program; and appropriations, allocations  
4 and contributions from private and public sources. The funds, to be accounted within the  
5 authority, must be held separate and apart from all other money, funds and accounts.  
6 Eligible investment earnings credited to the assets of the fund become part of the assets of  
7 the fund. Any unexpended balances remaining in the fund at the end of any fiscal year do  
8 not lapse and must be carried forward to the next fiscal year.

9 **2. Fund administration.** The authority may receive, invest and expend on behalf of  
10 the fund money from gifts, grants, bequests and donations in addition to money  
11 appropriated or allocated by the State and any federal funds received by the State for the  
12 benefit of health care providers who have outstanding student loans. Money received by  
13 the authority on behalf of the fund must be used for the purposes of this chapter. The fund  
14 must be maintained and administered by the authority. Any unexpended balance in the  
15 fund carries forward for continued use under this chapter.

16 **3. Fund expenses.** Costs and expenses of maintaining, servicing and administering  
17 the fund and of administering the program may be paid out of amounts in the fund.

18 **§12954. Program eligibility**

19 **1. Application.** To be considered for an award under this chapter, as part of the  
20 application, the applicant must:

21 A. Submit documentation, in a manner identified by the authority, validating:

22 (1) The applicant's original student loan balance upon graduation;

23 (2) The current balance owed on the student loan, including principal and interest;

24 (3) Current payment amounts on the student loan, including information on any  
25 federal student loan repayment plan described in 20 United States Code, Section  
26 1098e;

27 (4) For federal loans, information regarding the applicant's expected eligibility for  
28 the federal loan forgiveness program described in 34 Code of Federal Regulations,  
29 Section 685.219; and

30 (5) Loans related to expenses for a health care professional who was trained or has  
31 credentials in a country other than the United States and its territories and who is  
32 working towards a professional license in this State, as determined by the advisory  
33 committee;

34 B. Submit an employer certification form certifying the applicant's employment status  
35 and salary or hourly wage; and

36 C. Submit a signed statement of intent in a form acceptable to the authority to work in  
37 the applicant's identified health care profession in the State for a minimum of 5 years  
38 after acceptance into the program.

39 **2. Eligibility.** To be considered for an award under this chapter, the applicant:

40 A. Must be a current resident of the State or become a resident of the State within 6  
41 months of being selected as a recipient under the program;

42 B. Must, as determined by the authority:

- 1           (1) Be currently practicing as an eligible health care provider in the State; or  
2           (2) Within 6 months of being selected as a recipient under the program, begin  
3           practicing as an eligible health care provider in the State;

4           C. Must possess an outstanding student loan;

5           D. May not be a current beneficiary of a state or federal loan repayment program.  
6           Applicants who were formerly beneficiaries of a state or federal loan repayment  
7           program or who intend to participate in such programs following completion of their  
8           5-year commitment under this chapter are eligible to apply for an award; and

9           E. May not be a current recipient of a state-funded student loan.

10       **§12955. Maine Health Care Provider Loan Repayment Program Advisory**  
11       **Committee**

12       The Maine Health Care Provider Loan Repayment Program Advisory Committee is  
13       established pursuant to Title 5, section 12004-I, subsection 18-G to make recommendations  
14       to the authority regarding the administration of the program.

15       **1. Membership.** The advisory committee consists of:

16       A. The State Economist, serving in an ex officio capacity;

17       B. A representative of the Department of Health and Human Services, appointed by  
18       the Commissioner of Health and Human Services; and

19       C. The following members, selected by and serving at the pleasure of the chief  
20       executive officer of the authority:

21           (1) Two representatives of organizations that provide primary and specialized  
22           health care services in multiple locations across the State, at least one of which  
23           must be an organization that provides services in rural areas;

24           (2) An individual, not employed by the State, who is an expert in the State's  
25           workforce;

26           (3) A representative of a college or university with a degree-granting program in  
27           a health care profession;

28           (4) A representative of an organization representing the interests of hospitals based  
29           in the State;

30           (5) A representative of an organization representing the interests of federally  
31           qualified health centers, as defined in 42 United States Code, Section 1395x(aa)  
32           (1993), based in the State;

33           (6) An individual representing the interests of health care professionals in the field  
34           of oral health;

35           (7) An individual representing the interests of health care professionals in the field  
36           of behavioral health;

37           (8) An individual representing the interests of health care professionals in the field  
38           of physical health;

1                   (9) An individual representing or designated by the Permanent Commission on the  
2                   Status of Racial, Indigenous and Maine Tribal Populations established under Title  
3                   5, section 25001;

4                   (10) An individual representing health care professionals who were trained in or  
5                   have credentials from a country other than the United States and its territories; and

6                   (11) An individual representing direct care workers.

7                   **2. Duties.** The advisory committee shall:

8                   A. Make recommendations regarding the administration of the program;

9                   B. Make recommendations for priority occupations for awards for the next application  
10                  cycle; and

11                  C. Make recommendations for a point system to determine awards based on, at a  
12                  minimum, the following criteria:

13                   (1) Priority and nonpriority occupations;

14                   (2) Work location and whether or not the location is an underserved area, except  
15                   as applied to nurse educators; and

16                   (3) Student income-to-debt ratios.

17                  **§12956. Awards**

18                  **1. Publication of priority occupations.** By January 1st of each year, the authority  
19                  shall publicize, using a method determined by the authority and taking into consideration  
20                  the recommendations of the advisory committee, the priority occupations for the upcoming  
21                  application cycle.

22                  **2. Application cycle.** The authority shall accept applications annually and shall open  
23                  the application cycle by February 1st of each year.

24                  **3. Award amounts.** The authority shall maintain financial projections and, based on  
25                  the recommendations of the advisory committee, establish the targeted number of annual  
26                  awards to be made to applicants each year who meet the criteria described in section 12954.  
27                  In accordance with the priority occupations and point system established by the advisory  
28                  committee pursuant to section 12955, subsection 2, an annual award may not:

29                   A. Exceed \$30,000 annually;

30                   B. Exceed \$150,000 in aggregate or 50% of a recipient's outstanding student loan debt  
31                   at the time of application to the program, whichever is less; or

32                   C. Be awarded to a recipient for more than 5 years total.

33                  **4. Nurse educators and direct care workers.** The authority and the advisory  
34                  committee shall ensure that nurse educators and direct care workers are included among  
35                  the occupations considered each year for priority consideration.

36                  **§12957. Annual recertification and limitations**

37                  In order to remain eligible for an award, a recipient must annually submit to the  
38                  authority an employer certification form certifying the recipient's employment status and  
39                  salary or hourly wage.

40                  **§12958. Rulemaking**

