

Thomas O. Forslund, Director

Governor Matthew H. Mead

MEMORANDUM

DATE: December 1, 2015

TO: Associations and Other Interested Parties

FROM: Thomas O. Forslund, Director 
Wyoming Department of Health

SUBJECT: Intent to Adopt Amended Rules for the Wyoming Department of Health
Ch. 2- Wyoming Healthcare Professional Loan Repayment Program

REF: F-2015-619

The Wyoming Department of Health proposes to adopt the following Amended Rule pursuant to the provisions of W.S. § 9-2-119, 2015 Wyoming Session Laws, Ch. 89, 2015 HEA 60, and the Wyoming Administrative Procedure Act at W.S. § 16-3-102. The rule is also being amended to condense and remove unnecessary language, as well as update and rearrange language for better flow and understanding.

A 45 day public comment period is planned and a public hearing will be held if requested by 25 persons, a governmental subdivision, or an association having not less than 25 members.

The Wyoming Department of Health contact for this Amended Rule is Keri Wagner, Healthcare Workforce and Primary Care Office Manager, Wyoming Department of Health, Office of Rural Health, 6101 Yellowstone Rd., Ste. 420, Cheyenne, Wyoming, 82002, 307-777-6512, keri.wagner@wyo.gov.

TOF/jr

Attachments: Notice of Intent
Public Notice
Rules
Statement of Reasons



Notice of Intent to Adopt Rules

Revised October 2014

1. General Information

a. Agency/Board Name Wyoming Department of Health, Public Health Division		
b. Agency/Board Address 6101 Yellowstone Road, Ste. 420	c. City Cheyenne	d. Zip Code 82009
e. Name of Contact Person Keri Wanger		f. Contact Telephone Number 307-777-6512
g. Contact Email Address keri.wagner@wyo.gov		
h. Date of Public Notice December 1, 2015		i. Comment Period Ends January 15, 2016
j. Program Office of Rural Health		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

a. If "New," provide the Enrolled Act numbers and years enacted: **2015 Wyoming Session Laws, Ch. 90, 2015 HEA 60**

b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
2	Wyoming Healthcare Professional Loan Repayment Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

c. The Statement of Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

Complete all that apply:

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):
2
 (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Reasons).

 (Provide chapter numbers)

N/A These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

d. N/A In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Section 5 of the Rules on Rules).

e. A copy of the proposed rules* may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: <http://www.health.wyo.gov/rfd/rural/orhppublications.html>

* If Item "d" above is not checked, the proposed rules shall be in strike and underscore format.

3. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. Yes No

If "Yes:"	Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?

- By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

- To the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Contact Person listed in Section 1 above.

4. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. Yes No

If "Yes:"	Applicable Federal Law or Regulation Citation:
	Indicate one (1): <input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements. <input type="checkbox"/> The proposed rules exceed minimum federal requirements.
	Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to: <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> At the following URL: _____

5. State Statutory Requirements

a. Indicate one (1):

- The proposed rule change *MEETS* minimum substantive statutory requirements.
 The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

- The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____
 Not Applicable.

6. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual	Keri Wagner
Title of Authorized Individual	Healthcare Workforce and Primary Care Office Manager
Date of Authorization	December 1, 2015

Distribution List:

- Attorney General and LSO: Hard copy of Notice of Intent; Statement of Reasons; clean copy of the rules; and strike-through and underline version of rules (if applicable). Electronic copies (PDFs) of all items noted (in addition to hard copies) may be emailed to LSO at Criss.Carlson@wyoleg.gov.
- Secretary of State: Electronic version of Notice of Intent sent to Rules@wyo.gov.

CHAPTER 2

Rules for the Wyoming Healthcare Professional Loan Repayment Program Intent to Adopt Amended Rule

Statement of Reasons

The Wyoming Department of Health proposes to adopt the following Amended Rule pursuant to the provisions of W.S. § 9-2-118, W.S. § 9-2-119, and the Wyoming Administrative Procedure Act at W.S. § 16-3-101, *et seq.*

The Department is promulgating this amended rule to condense and remove unnecessary language, as well as update and rearrange language for better flow and understanding. Proposed amendments are as follows:

- The program name is updated to Wyoming Healthcare Professional Loan Repayment Program to align with the name familiar to the public.
- Healthcare provider is updated throughout to healthcare professional to align with the program title and current terminology within the program.
- The term “this Act” is replaced with “this Program” throughout.
- Sections 1 and 2 are amended to remove unnecessary language.
- Section 4 is amended to remove unnecessary or irrelevant language and definitions and update the division name.
- Section 5 was amended as follows:
 - Paragraph (a) was amended for clarity and to remove unnecessary language.
 - Paragraphs (b) and (c) were removed as unnecessary language.
 - Paragraph (d) was renumbered (b) and subparagraphs (i) and (ii) were amended to correct formatting mistakes, and subparagraphs (iii) and (iv) were added for clarity.
 - The new paragraphs (c) and (d) contain language relocated from the eliminated Section 10.
 - Paragraphs (e) and (f) were amended for clarity.
- Section 6 was eliminated and subsequent sections renumbered. Language from the eliminated section was updated and incorporated into Section 5 and the new Section 6.
- Section 7 was eliminated and subsequent sections were renumbered. Language from the eliminated section was updated and incorporated into Section 5.
- Section 8 was eliminated as unnecessary language and subsequent sections were renumbered.
- Section 9 was renumbered to Section 6 and amended as follows:
 - Paragraph (a) subparagraphs (v), and (v)(A) through (D) were added to incorporate language from the eliminated Section 6 and provide clarity.
 - Paragraph (b) subparagraph (i) was amended to correct typographical mistakes and to remove unnecessary language.
 - Paragraph (b) subparagraph (iii) was eliminated as unnecessary language and subparagraph (iv) was renumbered to (iii).
- Section 10 was eliminated and subsequent sections renumbered. Language from the eliminated section was updated and incorporated into Section 5.
- Section 11 was renumbered to Section 7 and amended to provide clarity.
- Section 12 was eliminated and language was updated and incorporated into the new Section 7.
- Section 13 was eliminated as unnecessary language.

As required by W.S. § 16-3-103(a)(i)(G), the Rules and Regulations for the Wyoming Healthcare Professional Loan Repayment Program meet minimum substantive state statutory requirements.

PUBLIC NOTICE

Intent to Adopt Amended Rule
Wyoming Department of Health

Public notice is hereby given that the Wyoming Department of Health intends to file an Amended Rule pursuant to W.S. § 9-2-118, W.S. § 9-2-119, and the Wyoming Administrative Procedure Act at W.S. § 16-3-101, *et seq.* This Amended Rule meets minimum substantive state statutory requirements.

Chapter 2, Rules for the Wyoming Healthcare Professional Loan Repayment Program

The Department is promulgating the above-referenced Rule, which implements the Wyoming Healthcare Professional Loan Repayment Program, to condense and remove unnecessary language, as well as update and rearrange language for better flow and understanding.

To obtain a copy of this Amended Rule, contact:

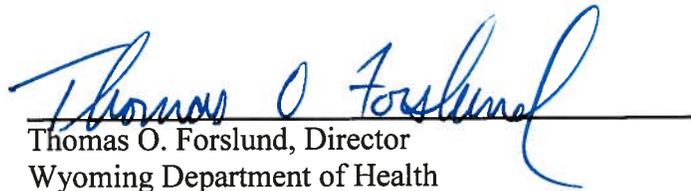
Keri Wagner
Healthcare Workforce and Primary Care Office Manager
Office of Rural Health, Public Health Division
Wyoming Department of Health
6101 Yellowstone Road, Suite 420
Cheyenne, Wyoming 82002
(307) 777-6512
keri.wagner@wyo.gov

A public hearing will be held if requested by 25 persons, by a governmental subdivision, or by an association having not less than 25 members.

The Wyoming Department of Health welcomes all comments and suggestions on this Amended Rule. Any person may urge the Agency not to adopt this Rule and may request that the Agency state its reasons for overruling the consideration urged against adoption. Written comments must be submitted to the above address no later than 5:00 p.m. on January 15, 2016.

Interested parties may request a statement of the Department's position regarding each comment and the action taken as a result of the comments prior to, or within thirty (30) days after, adoption of this Rule. Requests must be submitted to the above address. If requested, the statement will be issued by the Department within thirty (30) days after the Agency action.

Dated this 1st day of December, 2015.


Thomas O. Forslund, Director
Wyoming Department of Health

CHAPTER 2

Rules for the Wyoming Healthcare Professional Loan Repayment Program

Section 1. Authority. These rules are promulgated by the Department of Health, Public Health Division, pursuant to W.S. §§ 9-2-118 and 119, and the Wyoming Administrative Procedures Act at W.S. § 16-3-101, *et seq.*

Section 2. Purpose and Applicability.

(a) These rules implement the Wyoming Healthcare Professional Loan Repayment Program which governs the award of grant funds to healthcare professionals to repay loans taken for educational expenses.

(b) The Department may issue manuals, bulletins, or both, to interpret the provisions of these Rules. Such manuals and bulletins shall be consistent with and reflect the policies contained in these Rules. The provisions contained in manuals or bulletins shall be subordinate to the provisions of these Rules.

Section 3. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.

Section 4. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules.

(a) “Allied Healthcare Professional” means an individual who is licensed or certified to practice in the state as defined under Wyoming Statutes, Title 33, Chapter 9 (Podiatrists), Chapter 10 (Chiropractors), Chapter 15 (Dental Hygienists), Chapter 21 (Advanced Practice Registered Nurses, Registered Nurses, Licensed Practical Nurses, Certified Nurses Assistants), Chapter 23 (Optometrists), Chapter 24 (Pharmacists and Pharmacy Technicians), Chapter 25 (Physical Therapists), Chapter 26, Article 5 (Physician Assistants), Chapter 27 (Psychologists), Chapter 33 (Speech Pathologists and Audiologists), Chapter 34 (Laboratory Directors), Chapter 36 (Emergency Medical Technicians), Chapter 37 (Radiologic Technologists), Chapter 38 (Professional Counselors, Marriage and Family Therapists, Social Workers, and Chemical Dependency Specialists), Chapter 40 (Occupational Therapists), and Chapter 43 (Respiratory Care Practitioners).

(b) “Dentist” means an individual licensed under Wyoming Statutes, Title 33, Chapter 15, excluding Dental Hygienists.

(c) “Department” means the Wyoming Department of Health, Public Health Division.

(d) “Physician” means an individual who is licensed to practice in the state under Wyoming Statutes, Title 33, Chapter 26, of the Wyoming Medical Practice Act.

(e) “This Program” means the loan repayment programs authorized by W.S. § 9-2-118 and W.S. § 9-2-119.

Section 5. Healthcare Professional Loan Repayment Program Grants - Terms and Service.

(a) The Department may provide loan repayment grants to physicians, dentists, and allied healthcare professionals to repay loans taken for educational expenses in exchange for their agreement to provide full-time service at an approved practice location in the state for a period of three (3) years.

(b) Under either W.S. § 9-2-118 or W.S. § 9-2-119, loan repayment grants may be given only to repay bonafide loans that meet the following criteria:

(i) A commercial loan made by a bank, credit union, savings and loan association, insurance company, school, or credit institution; or

(ii) A governmental loan made by a federal, state, county, or city agency.

(iii) Educational loans may only include those costs related to the applicant’s education in a healthcare profession, including the cost of books, education equipment, fees, materials, reasonable living expenses, supplies and tuition. Loans which include debt belonging to an individual other than the applicant or costs not associated with the applicant’s healthcare professional education are not eligible for repayment under this Program.

(iv) Educational loans which are in default at the time of the healthcare professional’s application for loan repayment are not eligible for repayment under this Program.

(c) Before receiving an award under this Program, the recipient shall enter into a contract with the Department agreeing to the conditions upon which the award is to be made. The contract shall include necessary conditions to carry out the purposes of this Program including, but not limited to: service obligation and reporting requirements; payment schedule and terms; and penalties for breach of contract pursuant to Section 7 of these Rules.

(d) In exchange for financial assistance under this Program, the recipient shall serve full-time for a minimum of three (3) years at a practice location approved by the Department.

(i) The recipient’s three (3) year service obligation begins on the date the contract between the Department and the recipient is finalized or the first day of full-time service at the approved practice location, whichever is later. Periods of internship, preceptorship, or other clinical training do not satisfy the service obligation under this Program.

(ii) The recipient must be licensed, including a temporary license, or be certified to practice in the recipient's healthcare specialty in Wyoming before the recipient's first day of service under the contract.

(iii) The recipient must obtain approval from the Department of the practice location where the recipient will complete the service obligation.

(iv) Full-time is defined as working at least forty (40) hours per week. The Department, at its discretion, may consider less than forty (40) hours per week as full-time when the industry standard for full-time for the healthcare professional's discipline is less than forty (40) hours per week.

(e) The Department may not disburse any grant monies under this Program until the recipient's contract has been finalized and the recipient has performed at least six (6) months of full-time service at the approved practice location. The date on which the recipient's initial six (6) months of service begins is the first day of the recipient's three (3) year service obligation pursuant to Section 5(d)(i) of these Rules.

(f) The loan repayment grant recipient must apply one hundred percent (100%) of the grant payments received under this Program to the educational loans identified in the application and approved by the Department.

Section 6. Loan Repayment Grant Eligibility and Selection.

(a) Applicant Eligibility.

(i) Applicants must indicate full time employment or an offer for full time employment on their application.

(ii) Applicants must agree to treat Medicaid, Medicare or Kid Care eligible patients.

(iii) Applicants must be licensed or certified in Wyoming, or within one (1) year of licensure in their profession.

(iv) Applicants must be United States citizens or permanent residents.

(v) Applicants must disclose any other obligations to practice at a specific location and any other loan repayment arrangements in their application.

(A) An applicant with an obligation to practice professionally at a specific location is not eligible to receive a loan repayment grant under this Program until the existing obligations are fulfilled.

(B) Applicants required to practice in Wyoming, but not required

to practice at a specific location, may be eligible to receive a loan repayment grant under this Program. The Department will determine applicant eligibility upon review of the application and circumstances of the obligation.

(C) WWAMI (Washington, Wyoming, Alaska, Montana, Idaho) Medical Education Program participants required to practice in Wyoming are eligible for a loan repayment grant under this Program.

(D) Any portion of the applicant's educational loans to be forgiven or repaid as a result of paragraphs (B) and (C), is not eligible for repayment under this Program.

(b) Applicant Selection.

(i) The Department shall prioritize selections on geographic need for healthcare professionals due to demand exceeding capacity.

(ii) The Department shall prioritize selections on need for a given profession. Healthcare professions enhancing access to primary care will be prioritized over other healthcare professions.

(iii) The Department may consider other information in the application to further prioritize selections as needed to best meet the needs of Wyoming.

Section 7. Loan Repayment Grant Breach, Repayment, and Penalties.

(a) A loan repayment grant recipient under this Program who fails to complete the service obligation or fails to comply with the requirements of W.S. §§ 9-2-118 or 119, these Rules, or the terms and conditions set forth in the contract shall repay:

(i) The total amount of the loan repayment grant monies received under this Program according to a schedule established by the Department and set forth in the contract; and

(ii) Costs and expenses incurred in collection, including attorney fees.

(iii) The amount to be paid back shall be determined from the end of the month in which the recipient breached the contract as if the recipient had breached at the end of the month.

(iv) Amounts recovered and damages collected under this section shall be deposited as dedicated credits to be used to carry out the provisions of this Program.

(b) The Department may cancel or release, in full or in part, a recipient from the requirements of W.S. §§ 9-2-118 or 119, these Rules, and the terms and conditions of the

contract without penalty:

(i) If the recipient is unable to fulfill the service obligation due to permanent disability or a chronic or life threatening illness that prevents the recipient from performing any work for remuneration or profit;

(ii) If the recipient dies;

(iii) A family member for whom the recipient is the principle caregiver has a chronic or life threatening illness; or

(iv) For other good cause shown, as determined by the Department.

(c) The Department may allow a loan repayment grant recipient to transfer to another practice location to fulfill the service obligation if the recipient is unable to fulfill the service obligation at the current practice location.

CHAPTER 2

WYOMING HEALTHCARE PROVIDER LOAN REPAYMENT PROGRAM Rules for the Wyoming Healthcare Professional Loan Repayment Program

Section 1. Authority. These rules are promulgated by the Department of Health, Public Health Division, pursuant to ~~the Office of Rural Health at~~ W.S. §§ 9-2-118, *et seq.*, and 9-2-119, *et seq.*, ~~in consultation with the appropriate licensing board and professional associations pursuant to W.S. 9-2-118 (b) and 9-2-119 (b), and the Wyoming Administrative Procedures Act at W.S. § 16-3-101, et seq.~~

Section 2. Purpose and Applicability.

(a) These rules implement the Wyoming Healthcare ~~Provider~~ Professional Loan Repayment Program which governs the award of grant funds to healthcare ~~providers~~ professionals to repay loans taken for educational expenses.

(b) The Department may issue ~~provider~~ manuals, ~~provider~~ bulletins, or both, to interpret the provisions of these ~~rules and regulations~~ Rules. Such ~~provider~~ manuals and ~~provider~~ bulletins shall be consistent with and reflect the policies contained in these ~~rules and regulations~~ Rules. The provisions contained in ~~provider~~ manuals or ~~provider~~ bulletins shall be subordinate to the provisions of these ~~rules and regulations~~ Rules.

(c) ~~The incorporation by reference of any external standard is intended to be the incorporation of that standard as it is in effect on the effective date of these rules and regulations.~~

Section 3. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.

Section 4. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules. ~~Where the context in which words are used in these rules indicates that such is the intent, words in the singular number shall include the plural and visa versa. Throughout these rules gender pronouns are used interchangeably, except where the context dictates otherwise. The drafters have attempted to utilize each gender pronoun in equal numbers in random distribution. Words in each gender shall include individuals of the other gender.~~

~~For the purpose of these rules the following shall apply:~~

(a) “Allied Healthcare ~~Provider~~ Professional” means an individual who is licensed or certified to practice in the state as defined under Wyoming Statutes, Title 33, Chapter 9 (Podiatrists), Chapter 10 (Chiropractors), Chapter 15 (Dental Hygienists), Chapter 21 (Advanced Practice Registered Nurses, Registered Nurses, Licensed Practical Nurses, Certified Nurses Assistants), Chapter 23 (Optometrists), Chapter 24 (Pharmacists and

Pharmacy Technicians), Chapter 25 (Physical Therapists), Chapter 26, Article 5 (Physician Assistants), Chapter 27 (Psychologists), Chapter 33 (Speech Pathologists and Audiologists), Chapter 34 (Laboratory Directors), Chapter 36 (Emergency Medical Technicians), Chapter 37 (Radiologic Technologists), Chapter 38 (Professional Counselors, Marriage and Family Therapists, Social Workers, and Chemical Dependency Specialists), Chapter 40 (Occupational Therapists), and Chapter 43 (Respiratory Care Practitioners).

~~(b) —“Applicant” means an individual who has submitted a completed application and has met the application requirements established by the Department of Health for a loan repayment program under the act.~~

~~(c) —“Approved Site” means a site approved by the Department that meets the eligibility criteria established in this rule.~~

~~(d) —“Contract Agreement” means a legally enforceable binding agreement that describes the terms of the commitment between the Department and the applicant selected for a loan repayment award.~~

~~(e) “Dentist” means an individual licensed under Wyoming Statutes, Title 33, Chapter 15, excluding Dental Hygienists.~~

~~(f) “Department” means the Wyoming Department of Health, Rural and Frontier Public Health Division, Office of Rural Health.~~

~~(g) —“Education expenses” means the cost of education in a healthcare profession, including books, education equipments, fees, materials, reasonable living expenses, supplies, and tuition.~~

~~(h) —“Educational loan” means a commercial, government, or government-guaranteed loan taken to pay education expenses.~~

~~(i) —“Full time Equivalency” means “full time position,” as defined by the State of Wyoming Department of Administration and Information, Human Resources Division.~~

~~(j) —“Grant” means a grant of funds under a contract agreement.~~

~~(k) —“Grant Amount” means the state program funds plus the local community funds match, except for recipients under W.S. 9-2-119, wherein a local community funds match is not required.~~

~~(l) —“Loan Repayment” means a grant of funds under a grant to defray educational loans in exchange for service for a specified period of time at an approved site in the state.~~

~~(m) “Physician” means an individual who is licensed to practice in the state under Wyoming Statutes, Title 33, Chapter 26, of the Wyoming Medical Practice Act.~~

~~(n)~~ —“~~Recipient~~” means an applicant selected to receive a loan repayment grant under the act.

~~(o)~~ —“~~Service Obligation~~” means professional service rendered at an approved site for a minimum of three (3) years in exchange for a loan repayment grant.

~~(p)~~ —“~~Site Contract Agreement~~” means a legally enforceable binding agreement that describes the terms of the commitment between the Department and the Approved Site.

~~(q)~~ —“~~This Act Program~~” means the loan repayment programs authorized by W.S. § 9-2-118 and W.S. § 9-2-119.

Section 5. Healthcare Providers Professional Loan Repayment Program Grants - Terms and Service.

(a) The Department may provide loan repayment grants to physicians, dentists, and allied healthcare providers professionals to repay loans taken for educational expenses in exchange for their agreement to serve for a specified period of time provide full-time service at an approved site practice location in the state for a period of three (3) years.

~~(b)~~ — ~~Physician and dentist applicants under W.S. 9-2-118 shall be repaid up to one hundred percent (100%) of the amount of outstanding educational loans the physician or dentist has acquired as a direct result of undergraduate or post-graduate educational training directly related to providing medical or dental services. The Department shall determine the total amount of the loan repayment grant for each loan repayment grant recipient, not to exceed thirty thousand dollars and zero cents (\$30,000.00) per year for the physician and dentist loan repayment.~~

~~(c)~~ — ~~Allied healthcare applicants under W.S. 9-2-119 shall be repaid up to one hundred percent (100%) of the amount of outstanding educational loans the provider has acquired as a direct result of undergraduate or postgraduate educational training directly related to providing medical services. The Department shall determine the total amount of the loan repayment grant for each loan repayment grant recipient, not to exceed ten thousand dollars and zero cents (\$10,000.00) per year, for the allied healthcare provider loan repayment program.~~

~~(db)~~ Under either W.S. § 9-2-118 or W.S. § 9-2-119, loan repayment grants may be given only to repay bonafide loans, as described above in Section 5(b) and Section 5(c), and that meet the following criteria:

(i) a commercial loan made by a bank, credit union, savings and loan association, insurance company, school, or credit institution; or

(ii) a governmental loan made by a federal, state, county, or city agency.

(iii) Educational loans may only include those costs related to the applicant's education in a healthcare profession, including the cost of books, education equipment, fees, materials, reasonable living expenses, supplies and tuition. Loans which include debt belonging to an individual other than the applicant or costs not associated with the applicant's healthcare professional education are not eligible for repayment under this Program.

(iv) Educational loans which are in default at the time of the healthcare professional's application for loan repayment are not eligible for repayment under this Program.

(c) Before receiving an award under this Program, the recipient shall enter into a contract with the Department agreeing to the conditions upon which the award is to be made. The contract shall include necessary conditions to carry out the purposes of this Program including, but not limited to: service obligation and reporting requirements; payment schedule and terms; and penalties for breach of contract pursuant to Section 7 of these Rules.

(d) In exchange for financial assistance under this Program, the recipient shall serve full-time for a minimum of three (3) years at a practice location approved by the Department.

(i) The recipient's three (3) year service obligation begins on the date the contract between the Department and the recipient is finalized or the first day of full-time service at the approved practice location, whichever is later. Periods of internship, preceptorship, or other clinical training do not satisfy the service obligation under this Program.

(ii) The recipient must be licensed, including a temporary license, or be certified to practice in the recipient's healthcare specialty in Wyoming before the recipient's first day of service under the contract.

(iii) The recipient must obtain approval from the Department of the practice location where the recipient will complete the service obligation.

(iv) Full-time is defined as working at least forty (40) hours per week. The Department, at its discretion, may consider less than forty (40) hours per week as full-time when the industry standard for full-time for the healthcare professional's discipline is less than forty (40) hours per week.

(e) The Department may not disburse any grant monies under ~~the~~ this Program until the recipient's contract has been finalized and the recipient has performed at least six (6) months of full-time service at the approved ~~site~~ practice location. The date on which the recipient's initial six (6) months of service begins shall be determined by the Department ~~is the first day of the recipient's three (3) year service obligation pursuant to Section 5(d)(i) of these Rules.~~

(f) The loan repayment grant recipient must ~~use~~apply one hundred percent (100%) of the grant payments received under this Program to repay the educational loans identified in the application and approved by the Department. The grant recipient must notify the Department if they intend to hold part of the grant payments for federal taxes.

~~Section 6. — Loan Repayment Grant Administration.~~

~~— (a) — As requested by the Department, a loan repayment grant recipient shall provide information reasonably necessary for administration of the program.~~

~~— (b) — The loan repayment grant recipient shall disclose other sources of loan repayment in the recipient's grant application.~~

~~— (c) — The loan repayment grant recipient shall disclose any other obligations to practice his profession at a specific location and any other existing loan repayment arrangements. The applicant with an obligation to practice professionally at a specific location is not eligible to receive a loan repayment grant under the Wyoming Healthcare Provider Loan Repayment Program until his existing obligations are fulfilled. An applicant required to practice in Wyoming is not required to practice at a specific location.~~

~~— (d) — The Department shall not pay for an educational loan of a loan repayment grant applicant who is in default at the time of an application.~~

~~— (e) — Before receiving a loan repayment grant, the applicant must enter into a contract agreement with the Department that binds the recipient to the terms of the program.~~

~~— (f) — A loan repayment grant recipient must be licensed, including a temporary license, or be certified to practice in the recipient's healthcare specialty in Wyoming before the recipient's first day of service under the loan repayment grant agreement.~~

~~— (g) — Prior to beginning to fulfill the recipient's service obligation, a loan repayment grant recipient must obtain approval from the Department of the site where the recipient may complete his service obligation.~~

~~Section 7. — Full-Time Equivalency Provisions for Recipients.~~

~~— (a) — The Department may approve a full-time equivalency that is different than the State of Wyoming's definition if the loan repayment grant recipient can demonstrate that working fewer hours is equivalent to a full-time practice.~~

~~— (b) — The Department may approve a full-time equivalency of less than forty (40) hours per week if the applicant's employer can demonstrate that performing less than forty (40) hours per week at the work site combined with other activities is equivalent to a forty (40) hour work week.~~

~~Section 8. Eligibility Criteria for Loan Repayment Sites.~~

~~(a) The Department shall approve loan repayment sites that are located in areas that have a shortage of healthcare services and has been determined to be an underserved area of the state by the Office of Rural Health.~~

~~(b) Sites must provide care to persons eligible for Medicare, Medicaid, or Kid Care.~~

Section 96. Loan Repayment Grant Eligibility and Selection.

(a) Applicant Eligibility.

(i) Applicants must indicate full time employment or an offer for full time employment on their application.

(ii) Applicants must agree to treat Medicaid, Medicare or Kid Care eligible patients.

(iii) Applicants must be licensed or certified in Wyoming, or within one (1) year of licensure in their profession.

(iv) Applicants must be United States citizens or permanent residents.

(v) Applicants must disclose any other obligations to practice at a specific location and any other loan repayment arrangements in their application.

(A) An applicant with an obligation to practice professionally at a specific location is not eligible to receive a loan repayment grant under this Program until the existing obligations are fulfilled.

(B) Applicants required to practice in Wyoming, but not required to practice at a specific location, may be eligible to receive a loan repayment grant under this Program. The Department will determine applicant eligibility upon review of the application and circumstances of the obligation.

(C) WWAMI (Washington, Wyoming, Alaska, Montana, Idaho) Medical Education Program participants required to practice in Wyoming are eligible for a loan repayment grant under this Program.

(D) Any portion of the applicant's educational loans to be forgiven or repaid as a result of paragraphs (B) and (C), is not eligible for repayment under this Program.

(b) Applicant Selection.

(i) The Department ~~will~~shall prioritize selections on geographic need ~~or for~~ healthcare professionals. ~~Certain geographic areas of the state have a greater need for healthcare professionals due to demand exceeding capacity.~~

(ii) The Department ~~will~~shall prioritize selections on need for a given profession. Healthcare professions enhancing access to primary care will be prioritized over other healthcare professions.

~~(iii) For applicants under W.S. 9-2-119, the Department shall give priority when practical to qualified graduates of the University of Wyoming or a Wyoming Community College.~~

~~(iviii) The Department may consider other information in the application to further prioritize selections as needed to best meet the needs of Wyoming.~~

~~Section 10. Loan Repayment Grant Service Obligation.~~

~~(a) Before receiving an award under the act, the recipient shall enter into a contract agreement with the State agreeing to the conditions upon which the award is to be made.~~

~~(b) The contract agreement shall include necessary conditions to carry out the purposes of the Act.~~

~~(c) In exchange for financial assistance under the act, the recipient shall serve for a minimum of three (3) years at a site approved by the Department.~~

~~(d) The recipient's service at a site approved by the Department retires the amount owed for the award according to the schedule established by the Department at the time of the award.~~

~~(e) Periods of internship, preceptor ship, or other clinical training do not satisfy the service obligation under the act.~~

~~Section 117. Loan Repayment Grant Breach, Repayment, and Penalties.~~

~~(a) A loan repayment grant recipient under ~~the act~~this Program who fails to complete the service obligation or fails to comply with the requirements of W.S. §§ 9-2-118 or 119, these Rules, or the terms and conditions set forth in the contract shall repay:~~

~~(i) The total amount of the loan repayment grant monies received under this Program according to a schedule established by the Department and set forth in the contract agreement with the Department; and~~

(ii) Costs and expenses incurred in collection, including attorney fees.

(biii) The amount to be paid back shall be determined from the end of the month in which the ~~loan repayment grant~~ recipient breached the contract agreement as if the recipient had breached at the end of the month.

(eiv) Amounts recovered and damages collected under this section shall be deposited as dedicated credits to be used to carry out the provisions of ~~the Act~~ this Program.

~~Section 12. — Release of Recipient from Service Obligation.~~

(ab) The Department may cancel or release, in full or in part, a recipient from ~~his service obligation under~~ the requirements of W.S. §§ 9-2-118 or 119, these Rules, and the terms and conditions of the contract agreement without penalty:

(i) If the recipient is unable to fulfill the service obligation due to permanent disability or a chronic or life threatening illness that prevents the recipient from performing any work for remuneration or profit;

(ii) If the recipient dies; ~~or~~

(iii) A family member for whom the recipient is the principle caregiver has a chronic or life threatening illness; or

(iiiv) For other good cause shown, as determined by the Department.

(b) ~~Extreme hardship sufficient to release the recipient without penalty includes:~~

~~(i) Inability to fulfill service obligation due to permanent disability that prevents the recipient from performing any work for remuneration or profit; or~~

~~(ii) A family member for whom the recipient is the principal caregiver has a life threatening chronic illness.~~

(c) The Department may allow ~~for a loan repayment grant recipient to transfer to another approved site that a loan repayment grant recipient may use~~ practice location to fulfill ~~his~~ the service obligation if the ~~loan repayment grant~~ recipient is unable to fulfill ~~his~~ the ~~current~~ service obligation at the current practice location.

~~Section 13. — Reporting Requirements.~~

~~(a) The Department may require an award recipient to provide information on a periodic basis, as required by the loan repayment agreement.~~

~~———— (b) ——— The Department may require the approved site to provide information on a periodic basis, as required by the loan repayment site contract agreement.~~