



Rep. LaToya Greenwood

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10200HB4645ham002

LRB102 24527 CPF 36936 a

1 AMENDMENT TO HOUSE BILL 4645

2 AMENDMENT NO. _____. Amend House Bill 4645, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Equity and Representation in Health Care Act.

7 Section 5. Findings; purpose.

8 (a) The General Assembly finds that:

9 (1) Every Illinois resident deserves access to high
10 quality, affordable health care regardless of his or her
11 race, ethnicity, zip code, gender identification, or
12 sexual orientation. Moreover, Illinois residents deserve
13 support from a strong, diverse health care workforce that
14 reflects, represents, and understands the patients they
15 serve.

16 (2) Establishing and building trusted relationships

1 between patients and health care providers can lead to
2 more compassionate care and improved outcomes. This is
3 particularly important for communities of color and
4 populations that experience systemic racism and other
5 barriers to obtaining equitable high quality care that
6 improves health.

7 (3) A 2004 report from Johns Hopkins University and
8 the Commonwealth Fund focused on the disparities in
9 patient experience brought on by a lack of racial and
10 ethnic diversity among health care providers. From the
11 article:

12 "In what is called 'race-discordant'
13 relationships, patients from ethnic groups frequently
14 are treated by professionals from a different ethnic
15 background. The research reviewed here documents
16 ongoing racial and ethnic disparities in health care
17 and links patient-physician race and ethnic
18 concordance with higher patient satisfaction and
19 better health care processes. Based on this research,
20 the authors issue the following recommendation: ...
21 health policy should be revised to encourage workforce
22 diversity by funding programs that support the
23 recruitment of minority students and medical
24 faculty...".

25 (4) Another 2021 study by the National Center for
26 Biotechnology Information at the National Institutes of

1 Health analyzed minority representation across 10
2 different health care provider designations and found
3 significant underrepresentation among Black, Hispanic, and
4 Native American people across all 10 designations. This
5 study makes specific mention of the disproportionate
6 impact that the COVID-19 pandemic had on minority
7 communities and how greater diversity in our health care
8 workforce could lead to increased cultural competence and
9 improved health outcomes.

10 (5) These are just 2 studies among the countless that
11 make clear the importance of diversity in our health care
12 workforce. Illinois is no exception. More must be done to
13 increase the diversity and community representation of our
14 State's health care workforce in order to better meet the
15 needs of underrepresented communities. This Act is
16 intended to support workforce development programs
17 specifically aimed at this mission.

18 (b) The purpose of this Act is to recognize and address the
19 historic and systemic barriers that have prevented
20 proportional representation by race, ethnicity, language,
21 gender, sexual orientation, gender identity, and disability
22 status in the health care provider community and address
23 access to care and health disparities by prioritizing
24 scholarship and loan repayment programs to individuals from
25 underrepresented communities pursuing health care careers.

26 These scholarship and loan repayment programs shall

1 encourage health care providers to locate and practice in
2 areas of greatest need, as determined by provider shortage
3 area data or health disparity data, and to support efforts for
4 health care providers to better reflect the communities they
5 serve.

6 Section 10. Definitions.

7 "Accredited school" means a college or university in which
8 a degree in allopathic medicine, osteopathic medicine,
9 dentistry, physical therapy, or an equivalent credential for a
10 health program is earned and for which the Council for Higher
11 Education Accreditation or its affiliates has determined that
12 the school meets specific standards for its programs, faculty,
13 and curriculum.

14 "Advanced practice registered nurse" or "APRN" means an
15 advanced practice registered nurse as defined under Section
16 50-10 of the Nurse Practice Act.

17 "Allopathic medicine" means the use of pharmacological
18 agents or physical interventions to treat or suppress symptoms
19 or processes of diseases or conditions.

20 "Applicant" means a health care professional or medical
21 facility who applies for loan repayment assistance or
22 scholarship funds under this Act.

23 "Approved graduate training" means training in medicine,
24 dentistry, or any other health profession that leads to
25 eligibility for board certification, provides evidence of

1 completion, and is approved by the appropriate health care
2 professional's body.

3 "Behavioral health provider" means a provider of a
4 commonly recognized discipline in the behavioral health
5 industry, including, but not limited to, licensed clinical
6 social workers, behavioral health therapists, certified
7 marriage and family counselors, licensed social workers, and
8 addiction counselors.

9 "Breach of service obligation" means failure for any
10 reason to begin or complete a contractual service commitment.

11 "Commercial loan" means a loan made by a bank, credit
12 union, savings and loan association, insurance company,
13 school, or other financial institution.

14 "Community health center" means a migrant health center,
15 community health center, health care program for the homeless
16 or for residents of public housing supported under Section 330
17 of the federal Public Health Service Act, or FQHC, including
18 an FQHC Look-Alike, as designated by the U.S. Department of
19 Health and Human Services, that operates at least one
20 federally designated primary health care delivery site in
21 Illinois.

22 "Default" means failure to meet a legal obligation or
23 condition of a loan.

24 "Department" means the Department of Public Health.

25 "Dental assistant" means a person who serves as a member
26 of a dental care team, working directly with a dentist to

1 perform duties that include, but are not limited to, assisting
2 with dental procedures, preparing patients for procedures,
3 preparing examinations, and sterilizing equipment.

4 "Dentist" means a person licensed to practice dentistry
5 under the Illinois Dental Practice Act.

6 "Director" means the Director of Public Health.

7 "Equity and Representation in Health Care Workforce
8 Repayment Program" or "Repayment Program" means the Equity and
9 Representation in Health Care Workforce Repayment Program
10 created under subsection (a) of Section 15.

11 "Equity and Representation in Health Care Workforce
12 Scholarship Program" or "Scholarship Program" means the Equity
13 and Representation in Health Care Workforce Scholarship
14 Program created under subsection (b) of Section 15.

15 "Federally Qualified Health Center" or "FQHC" means a
16 health center funded under Section 330 of the federal Public
17 Health Service Act.

18 "Federally Qualified Health Center Look-Alike" or "FQHC
19 Look-Alike" means a health center that meets the requirements
20 for receiving a grant under Section 330 of the federal Public
21 Health Service Act but does not receive funding under that
22 authority.

23 "Government loan" means a loan made by a federal, State,
24 county, or city agency authorized to make the loan.

25 "Health care professional" means a physician, physician
26 assistant, advanced practice registered nurse, certified nurse

1 midwife, chiropractic physician, podiatrist, physical
2 therapist, physical therapist assistant, occupational
3 therapist, speech therapist, behavioral health provider,
4 psychiatrist, psychologist, pharmacist, dentist, medical
5 assistant, dental assistant, or dental hygienist.

6 "Health professional shortage area" or "HPSA" means a
7 designation from the U.S. Department of Health and Human
8 Services that indicates the shortage of primary medical care
9 or dental or mental health providers. The designation may be
10 geographic, such as a county or service area; demographic,
11 such as low-income population; or institutional, such as a
12 comprehensive health center, FQHC, or other public facility.

13 "Lender" means the commercial or government entity that
14 makes a qualifying loan.

15 "Loan repayment award" or "award" means the amount of
16 funding awarded to a recipient based upon his or her
17 reasonable educational expenses, up to a maximum established
18 by the program.

19 "Loan repayment agreement" or "agreement" means the
20 written instrument defining a legal relationship entered into
21 between the Department and a recipient.

22 "Medical assistant" means a person who serves as a member
23 of a medical care team working directly with other providers
24 to perform duties that include, but are not limited to,
25 gathering patient information, taking vital signs, preparing
26 patients for examinations, and assisting physicians during

1 examinations.

2 "Medical facility" means a facility in which the delivery
3 of health services is provided. A medical facility must be a
4 nonprofit or public facility located in Illinois and includes
5 the following:

6 (1) A Federally Qualified Health Center.

7 (2) An FQHC Look-Alike.

8 (3) A hospital system operated by a county with more
9 than 3,000,000 residents.

10 "Medically underserved area" or "MUA" means an area
11 designated by the U.S. Department of Health and Human
12 Services' Health Resources and Services Administration as
13 having too few primary care providers, high infant mortality,
14 high poverty, or a high elderly population.

15 "Osteopathic medicine" means medical practice based upon
16 the theory that diseases are due to loss of structural
17 integrity, which can be restored by manipulation of the parts
18 and supplemented by therapeutic measures.

19 "Physical therapist" means an individual licensed as a
20 physical therapist under the Illinois Physical Therapy Act.

21 "Physical therapist assistant" means an individual
22 licensed as a physical therapist assistant under the Illinois
23 Physical Therapy Act.

24 "Physician" means a person licensed to practice medicine
25 in all of its branches under the Medical Practice Act of 1987.

26 "Physician assistant" means an individual licensed under

1 the Physician Assistant Practice Act of 1987.

2 "Primary care" means health care that encompasses
3 prevention services, basic diagnostic and treatment services,
4 and support services, including laboratory, radiology,
5 transportation, and pharmacy services.

6 "Psychiatrist" means a physician licensed to practice
7 medicine in Illinois under the Medical Practice Act of 1987
8 who has successfully completed an accredited residency program
9 in psychiatry.

10 "Qualifying loan" means a government loan or commercial
11 loan used for tuition and reasonable educational and living
12 expenses related to undergraduate or graduate education that
13 was obtained by the recipient prior to his or her application
14 for loan repayment and that is contemporaneous with the
15 education received.

16 "Reasonable educational expenses" means costs for
17 education, exclusive of tuition. These costs include, but are
18 not limited to, fees, books, supplies, clinical travel,
19 educational equipment, materials, board certification, or
20 licensing examinations. "Reasonable educational expenses" do
21 not exceed the estimated standard budget for expenses for the
22 degree program and for the years of enrollment.

23 "Reasonable living expenses" means room and board,
24 transportation, and commuting costs associated with the
25 applicant's attendance and participation in educational and
26 workforce training program. "Reasonable living expenses" do

1 not exceed the estimated standard budget for the recipient's
2 degree program and for the years of enrollment.

3 "Recognized training entity" means an entity approved by
4 the Department to provide training and education for medical
5 assistants and dental assistants.

6 "Recipient" means a health care professional or medical
7 facility that may use loan repayment funds.

8 "Rural" has the same meaning that is used by the federal
9 Health Resources and Services Administration to determine
10 eligibility for Rural Health Grants.

11 "State" means the State of Illinois.

12 Section 15. Repayment Program; Scholarship Program;
13 eligibility requirements.

14 (a) The Department shall create and administer an Equity
15 and Representation in Health Care Workforce Repayment Program.
16 A health care professional may apply to the Department for
17 loan repayment assistance under the Repayment Program. In
18 order to be eligible for loan repayment under this Act, the
19 health care professional or behavioral health provider shall
20 comply with the following:

21 (1) Either:

22 (A) be working at a medical facility; or

23 (B) have accepted an offer of employment at a
24 medical facility and will begin employment at that
25 medical facility within 90 calendar days after the

1 submission of the application.

2 (2) Either:

3 (A) have a degree in allopathic or osteopathic
4 medicine, nursing, dentistry, physical therapy, or
5 other eligible health profession from an accredited
6 school; have completed an approved training program;
7 and have a current, valid, and unencumbered license to
8 practice the health profession in Illinois; or

9 (B) have a degree in a relevant field of study,
10 such as behavioral health or social work.

11 (3) As necessary to his or her field of work, agree to
12 see and treat all patients at the medical facility
13 regardless of the patient's ability to pay for services.

14 (4) Submit an application to participate in the
15 Program.

16 (5) Not be in breach of a health professional service
17 obligation to the federal, State, or a local government.

18 (6) Not have any judgment liens arising from federal
19 debt.

20 (7) Not be excluded, suspended, or disqualified by a
21 federal agency.

22 (8) Sign a written agreement attesting to accepting
23 repayment of health professional educational loans and to
24 serve (i) for the applicable period of obligated service
25 in a medical facility and (ii) all patients regardless of
26 their ability to pay. The written agreement shall outline

1 details of the loan repayment service obligations,
2 including, but not limited to, the time frame required for
3 the recipient to fulfill the service obligation, the
4 amount of service required based on the award, and
5 penalties that may be levied for breach of a service
6 obligation.

7 (9) Be a current resident of Illinois or intend to
8 reside in Illinois within 90 days after receiving notice
9 of a loan repayment or scholarship award under this Act.

10 (b) The Department shall create and administer an Equity
11 and Representation in Health Care Workforce Scholarship
12 Program. A medical facility or an individual may apply to the
13 Department to receive funds under the Scholarship Program. A
14 medical facility may apply for a scholarship that covers
15 expenses described under subsection (e) of Section 20. If an
16 individual is the applicant, the individual shall either:

17 (1) be working at a medical facility; or

18 (2) have accepted an offer of employment at a medical
19 facility and will begin employment at that medical
20 facility within 90 calendar days after the submission of
21 the application.

22 (c) A person who earns a degree from an unaccredited
23 school may not participate in the Repayment Program.

24 Section 20. Use of Repayment Program and Scholarship
25 Program funds.

1 (a) Subject to appropriation, loan repayment funds under
2 the Repayment Program shall be used according to the
3 following:

4 (1) To repay qualifying educational loans of health
5 care professionals who agree to serve in a medical
6 facility for a specified period of time to be determined
7 by the Department.

8 (2) For educational loans that were obtained prior to
9 the date the recipient submits an application for loan
10 repayment assistance.

11 (3) To retire qualifying educational loans if the
12 loans are the result of consolidated or refinanced debt.
13 To qualify, the consolidated or refinanced loans shall:

14 (A) be a government loan or a loan from a
15 commercial lender; and

16 (B) include only qualifying educational loans of
17 the health care professional.

18 (b) Loan repayment funds under the Repayment Program shall
19 not be used for any of the following:

20 (1) To repay a practice obligation resulting from
21 educational loans or scholarships, whether from
22 Illinois-based institutions or governments or those in
23 other states.

24 (2) To fulfill practice obligations to the federal
25 government, the State, or any other entity under an
26 agreement with the federal government, State, or other

1 entity.

2 (3) To retire qualifying educational loans if the
3 consolidated or refinanced debt is:

4 (A) commingled with nonqualifying debt; or

5 (B) consolidated with a loan owed by another
6 person, such as a spouse or child.

7 (c) Loan repayment funds under the Repayment Program may
8 not be used by the recipient to reimburse himself or herself
9 for a loan that has been repaid.

10 (d) Under the provisions of the federal Treasury Offset
11 Program and the State Comptroller Act, recipients shall have
12 their loan repayment assistance funds offset to fulfill a
13 delinquent federal or State debt. The offset of loan repayment
14 assistance funds shall not reduce, waive, or suspend a
15 recipient's service obligation under this Act.

16 (e) Subject to appropriation, Scholarship Program funds
17 shall be used to cover the costs of training as a medical
18 assistant or dental assistant, or another health care
19 profession training or education program, as deemed
20 appropriate by the Department. Costs shall include the
21 following:

22 (1) The cost of enrollment in a training program
23 offered by an Illinois-based institution of higher
24 education, an online program accredited in Illinois, an
25 Illinois-based community college, or a recognized
26 Illinois-based training entity.

1 (2) Lab fees.

2 (3) Materials and test vouchers.

3 (4) Background checks.

4 (5) Drug screenings.

5 (6) Professional equipment and attire, such as scrubs.

6 (f) Applications for loan repayments and scholarships may
7 be available twice a year, with at least 5 months between the
8 closing date of the last process and application deadline for
9 the next process. In order to meet the goal of this Act of
10 improving diversity and community representation in the health
11 care workforce, applications shall include questions that
12 request demographic data from the applicant, including, but
13 not limited to, race, ethnicity, disability status, gender
14 identity, and sexual orientation.

15 (g) An individual who meets the eligibility requirements
16 set forth in this Act may apply for loan repayment or
17 scholarship funds authorized by this Act. In order to promote
18 greater diversity and community representation in health care,
19 the Department shall set forward criteria that prioritizes
20 applicants, including, but not limited to, the following:

21 (1) Those who identify as a person from a race,
22 ethnicity, gender, sexual orientation, gender identity, or
23 disability status that is underrepresented in the health
24 care sector.

25 (2) First generation postsecondary students.

26 (3) Reservists in the U.S. Armed Forces or military

1 veterans.

2 (4) Persons working in rural medical facilities.

3 (h) An individual who is awarded a loan repayment under
4 this Act shall not receive a concurrent loan repayment through
5 any other Illinois or federal loan repayment program. Nothing
6 in this Act prevents an individual from receiving consecutive
7 loan repayment awards under this Act or any other State or
8 federal program.

9 Section 25. Department powers and duties.

10 (a) The Department may exercise the following powers:

11 (1) To make loan repayment and scholarship awards
12 under the Repayment Program or Scholarship Program with
13 the following priorities:

14 (A) To increase the number of health care
15 providers in MUAs.

16 (B) To increase the number of behavioral health
17 providers in MUAs.

18 (C) To increase the number of accredited, eligible
19 health care provider residencies within the State.

20 (D) To increase the percentage of eligible health
21 care providers establishing practice within the State
22 upon completion of residency.

23 (E) To promote greater diversity and community
24 representation in Illinois' health care workforce.

25 (2) To adopt rules necessary for the establishment and

1 maintenance of the Repayment Program and Scholarship
2 Program required under this Act.

3 (b) The Department shall share information about the
4 application process for a scholarship or loan repayment under
5 this Act prominently on the Department's website, as well as
6 with Illinois-based health care training programs and
7 institutions of higher education that offer associate,
8 undergraduate, and graduate degree programs in health care.

9 Section 30. Administrative procedure. The Illinois
10 Administrative Procedure Act is hereby expressly adopted and
11 incorporated herein as if all of the provisions of the Act were
12 included in this Act.

13 Section 35. Annual report.

14 (a) The Department shall annually report the results and
15 progress of the Repayment Program and Scholarship Program on
16 or before March 15 of each year to the General Assembly and the
17 Governor.

18 (b) The annual report to the General Assembly and the
19 Governor shall include the impact of the Repayment Program and
20 Scholarship Program on the ability of MUAs to attract and
21 retain eligible health care providers, as well as increase
22 diversity and community representation in Illinois' health
23 care workforce. The report shall include recommendations to
24 improve that ability.

1 Section 40. Failure to fulfill obligations.

2 (a) Loan repayment recipients under the Repayment Program
3 who fail to meet the obligations set forth in this Act and
4 outlined in the signed agreement with the Department shall pay
5 to the Department a sum of no less than 1.5 times the amount of
6 the annual loan repayment for each year the recipient fails to
7 fulfill the obligation, plus interest at the rate of 7%
8 annually. Repayment to the Department shall be made as a lump
9 sum payment or over a period of no more than 6 years with
10 interest compounded over that period. An individual who
11 fulfills a portion of his or her obligation may have his or her
12 repayment amount adjusted accordingly by the Department.

13 (b) Scholarship recipients under the Scholarship Program
14 who fail to meet the obligations set forth in this Act and
15 outlined in the signed agreement with the Department shall pay
16 to the Department a sum of no less than 1.5 times the amount of
17 the annual scholarship grant for each year the recipient fails
18 to fulfill the employment obligation, plus interest at the
19 rate of 7% annually. Repayment to the Department shall occur
20 as a lump sum payment or over a period of no more than 6 years
21 with interest compounded over that period. An individual who
22 fulfills a portion of his or her obligation may have his or her
23 repayment amount adjusted accordingly by the Department.

24 (c) Moneys paid to the Department under this Section shall
25 be used by the Department to support awards, scholarships, and

1 Department operations related to the awards and scholarships
2 authorized under this Act.

3 (d) A waiver or deferment request of a recipient's
4 obligation under this Act may be submitted to the Department
5 for consideration. The request must be submitted in writing
6 and shall be consistent with criteria that are in place for
7 waiver or deferment from obligations in other State health
8 care loan repayment programs.

9 (e) The Department may allow an individual who completes a
10 different course of study or pursues a different health care
11 profession to meet his or her obligations under his or her
12 original application if he or she submits the request in
13 writing along with any other information requested by the
14 Department and continues to meet his or her obligations under
15 this Act.

16 Section 45. Transfer of moneys; use of funds.

17 (a) The Department may transfer to the Illinois Finance
18 Authority, into an account outside the State treasury, moneys
19 in the Community Health Center Care Fund as needed, but not to
20 exceed an amount established, by rule, by the Department to
21 establish a reserve or credit enhancement escrow account to
22 support a financing program or a loan or equipment leasing
23 program to provide moneys to support the purposes of
24 subsection (a) of Section 2310-200 of the Department of Public
25 Health Powers and Duties Law of the Civil Administrative Code

1 of Illinois. The disposition of moneys at the conclusion of
2 any financing program under this Section shall be determined
3 by an interagency agreement.

4 (b) The Department may use a reasonable portion of funds
5 appropriated for this Act to increase Department resources as
6 is necessary in order to effectively administer the Repayment
7 Program and Scholarship Program.

8 Section 99. Effective date. This Act takes effect January
9 1, 2023."