



Sub. H.B. 87

126th General Assembly
(As Reported by H. Health)

Reps. Willamowski, C. Evans, McGregor, Seitz, Perry, S. Smith, Hartnett, Taylor, Martin, Hagan, Reidelbach, Hood, Barrett, Brown, DeBose, Fessler, Kearns, Otterman, Schneider, Seaver

BILL SUMMARY

- Permits the Department of Rehabilitation and Correction to extend the Physician Recruitment Program it is authorized to establish to registered nurses and licensed practical nurses and renames the Program accordingly.

CONTENT AND OPERATION

Department of Rehabilitation and Correction nurse and physician recruitment program

(R.C. 5120.55)

Background

In 1993, the General Assembly gave the Department of Rehabilitation and Correction authority to establish a physician recruitment program under which the Department, by means of a contract, could agree to repay all or part of the principal and interest of a government or other educational loan of a physician in exchange for the physician's agreement to provide services to inmates of correctional institutions administered by the Department.¹ According to Scott Neely, Legislative Liaison for the Department, the Department has not yet established such a program.²

¹ *The authority to establish the physician recruitment program was granted by H.B. 478 of the 119th General Assembly.*

² *Telephone interview with Scott Neely, Legislative Liaison, Ohio Department of Rehabilitation and Correction (June 16, 2005).*

The bill permits the Department to extend the physician recruitment program it is authorized to establish to registered nurses and licensed practical nurses. Accordingly, the bill also changes the name of the program that may be established from the "physician recruitment program" to the "recruitment program."

Eligibility

Current law. A physician is eligible to participate in a physician recruitment program the Department of Rehabilitation and Correction may establish if the physician attended one of the following:

- A medical or osteopathic medical school in this country that was, at the time of attendance, accredited by the Liaison Committee on Medical Education or the American Osteopathic Association.
- A college of podiatry in this country recognized as being in good standing by the State Medical Board of Ohio.
- A foreign medical or osteopathic medical school, or a college of podiatry, that was acknowledged by the World Health Organization (WHO) and verified by a WHO member state as operating within the state's jurisdiction.

The bill. The bill adds that in addition to the physicians described above, a nurse³ is eligible for the recruitment program the Department may establish if the nurse attended either of the following:

- A nursing school in this country accredited by the Commission of Collegiate Nursing Education or the National League for Nursing Accrediting Commission.
- A foreign nursing school that was acknowledged by the World Health Organization (WHO) and verified by a WHO member state as operating within that state's jurisdiction.

³ *The bill defines "nurse" as a registered nurse or licensed practical nurse. "Registered nurse" is defined as an individual who holds a current, valid license issued by the Ohio Nursing Board that authorizes the practice of nursing as a registered nurse and includes a registered nurse who is a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner. "Licensed practical nurse" is defined as an individual who holds a current, valid license issued by the Ohio Nursing Board that authorizes the practice of nursing as a licensed practical nurse.*

Contracts

Current law. The Department of Rehabilitation and Correction must enter into a contract with each physician it recruits for the physician recruitment program. A contract must contain a number of terms, including the scope of services to be provided, the number of hours per week and the number of years of service to be provided, the expenses that were covered by a loan that may be repaid by the Department, and the damages should a physician fail to complete the service obligation or comply with other terms of the contract. The lending institution of the physician or the Ohio Board of Regents may be a party to the contract and the contract may include an assignment to the Department of the physician's duty to repay the principal and interest of the loan.

The bill. For purposes of the recruitment program, the bill requires contracts between nurses and the Department to contain the same terms that must be in contracts between physicians and the Department. The bill similarly permits the lending institution of the nurse or the Ohio Board of Regents to be a party to the contract and also provides that a contract between a nurse and the Department may include an assignment to the Department of the nurse's duty to repay the principal and interest of the loan.

Rulemaking

Current law. If it elects to implement a physician recruitment program, the Department must adopt rules in accordance with the Ohio Administrative Procedure Act to establish all of the following:

- Criteria for designating institutions for which physicians will be recruited.
- Criteria for selecting physicians for participating in the program.
- Criteria for determining the portion of a loan which the Department will agree to repay.
- Criteria for determining reasonable amounts of the expenses covered by a loan to be repaid.
- Procedures for monitoring compliance by physicians with the terms of their contracts.
- Any other criteria or procedures necessary to implement the program.

The bill. The bill provides that if the Department elects to implement the recruitment program, it must adopt the rules described above applicable to both physicians and nurses.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-23-05	p. 234
Reported, H. Health	06-16-05	p. 965

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