

I MINA' TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

Bill No. 250-30 (COR)

Introduced by:

Telo Taitague

2009-01-31  
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M-38-08

AN ACT TO REPEAL AND RE-ENACT CHAPTER 47 OF  
17GCA RELATIVE TO CREATING THE PHYSICIAN  
EDUCATION INCENTIVE PROGRAM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Chapter 47 of 17GCA is *repealed and re-enacted* to read as  
3 follows:

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5

**Chapter 47**

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**Physician Education Program**

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8 **§47101. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that more  
9 and more cities across the nation are creating programs to attract physicians to  
10 work in clinics and hospitals in their regions. In addition to government assistance  
11 programs, many private facilities are using creative incentives to attract more  
12 physicians.

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14 Among the most common incentives employed are the “student loan  
15 subsidy/repayment programs”. These programs involve the subsidy or complete  
16 repayment of a physician’s student loan balance. Over the last three decades many  
17 municipalities have tried various medical tuition assistance programs and  
18 scholarships. They have found that the problem with the advance funding of  
19 medical education is the high dropout rate. In some medical schools, less than half

1 of the first-year class makes to graduation. Given the high cost of advance  
2 funding of medical education, the fiscal impact to the municipality can be  
3 staggering.

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5 Municipalities have also found similar dropout rates at the undergraduate level.  
6 Since there are no established majors for “pre-med,” prospective medical students  
7 can major in any subject. Undergraduate pre-med programs are focused on  
8 preparing the student to pass the Medical College Admissions Test and to provide  
9 a foundation in basic science and mathematics. A typical pre-med course schedule  
10 will include principles of biology, human anatomy and physiology, university  
11 physics, basic calculus and organic chemistry. Since pre-med students can major  
12 in any subject matter, there is a likelihood that upon graduation, the student may  
13 opt for another vocation or career path.

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15 It is the intent of *I Liheslatura* to provide student loan repayment assistance to  
16 attract physicians to work on Guam.

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18 **§47102. Definitions.** As used in this Chapter:

19 *Student loan* means any federal or private loan used to finance an individual’s  
20 education.

21 *Board Certified* means a physician has taken and passed a medical specialty  
22 examination.

23 *Board eligible* means a physician that has completed the requirements for  
24 admission to a medical specialty board examination but has not taken and passed  
25 the examination.

26 *Loan Interest rate* means the rate of interest on the student loan.

1 *Loan Term* means the number of periods for which the student loan is repaid.

2 *Residency* means, for purposes of this section, a period of formal graduate medical  
3 education that consists of on-the-job training of medical school graduates;  
4 completion of a residency program is required for board certification in a medical  
5 or surgical specialty.

6 *Fellowship* means, for purposes of this section, a post-residency training period of  
7 in a subspecialty, which allows a specialized physician to develop a particular  
8 expertise that may have a related subspecialty board; fellowship time is often used  
9 to prepare for specialty boards examinations.

10 *Internship* means, for purposes of this section, a period of apprenticeship for a  
11 medical school graduate who serves in a hospital for a specified period before  
12 beginning a professional practice.

13 *Assistance Eligibility Period* means the period of time for which benefits from the  
14 program, herein, will be paid

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16 **§47103. Initial Minimum Qualifications.** The qualifications for assistance from  
17 this program are as follows:

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19 (a) The Physician must be admitted and licensed to practice medicine on  
20 Guam,

21 (b) The Physician must have completed internship and the residency and  
22 fellowship requirements and must be United States board eligible *or* be  
23 United States board certified.

24 (c) The Physician must not have a medical license revoked for disciplinary  
25 reasons or a criminal conviction.

1 (d) The Physician must have not have been denied, in the United States,  
2 medical license for disciplinary reasons or criminal conviction.

3 (e) The Physician must be facing disciplinary actions, tort actions or  
4 criminal charges in any jurisdiction at the time of application for benefits.

5 (f) Agree to practice medicine on Guam for a period of not less than three  
6 (3) years not including periods of thirty (30) days or more for military  
7 deployment. Military deployments of thirty (30) days or more shall extend  
8 the three-year period, supra, by the amount of time of the deployment(s).

9 (g) Must have graduated from medical school after calendar year 2004.

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11 **§47104. Medical Education Trust.** There is hereby created the Medical  
12 Education Trust (“The MET”). The MET shall be funded by (1) One percent (1%)  
13 of the collections of the Healthy Futures Fund beginning October 1, 2010, and (2)  
14 any direct appropriations, from any source, by *I Liheslaturan Guåhan*.

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16 **§47105. Medical Education Assistant.** (a) Benefits shall be paid on a monthly  
17 basis throughout *assistance eligibility period*.

18 (b) The amount of assistance shall be the lowest of the physician’s (1) actual  
19 monthly student loan payment, (2) the payment amount calculated on the basis of  
20 the loan balance at the time of graduation from medical school, the loan interest  
21 rate and a loan term of ten (10) years or (3) Five hundred dollars (\$500.00).

22 (c) A one-time bonus of Two Thousand Five Hundred Dollars (\$2,500.00) shall  
23 be paid to physicians that complete the agreed Three-year Guam practice  
24 requirement of §47103(f) of this Chapter. A physician who does not, for any  
25 reason, complete agreed Three-year Guam practice requirement of §47103(f) of  
26 this Chapter is deemed to have forfeited any rights to any portio of the one-time

1 bonus of Two Thousand Five Hundred Dollars (\$2,500.00) authorized by this  
2 paragraph.

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4 **§47106. Medical Education Assistant Eligibility Period.** The benefits provided  
5 for in §47105 of this Chapter shall be paid for, the earliest of, the physician (1)  
6 ceases, for any reason other than vacation or military service, practicing medicine  
7 on Guam, (2) the student loan is repaid or (3) completes ten (10) consecutive years  
8 of practice on Guam. Benefits shall continue to be paid throughout any period of  
9 deployment for military service.

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11 **§47107. Cancellation of Benefits.** (a) All benefits under this program shall be  
12 cancelled in the event of any of the following:

- 13 (1) The physician is convicted of a crime of moral turpitude,  
14 (2) The physician ceases to practice medicine on Guam (except for normal  
15 vacations), or  
16 (3) The physician's license to practice medicine on Guam or any other  
17 jurisdiction is revoked for cause.

18 (b) Exceptions: The following activities are exceptions to (a)(2), *supra*, but  
19 extend the minimum three-year (3-year) practice period by the same length of such  
20 activity:

- 21 (1) military deployment  
22 (2) Continuing education to maintain board certification  
23 (3) Continuing education of one (1) year or less to obtain additional board  
24 certifications.

1 **§47108. Priority of Applicants.** All benefits herein are subject to availability of  
2 funds. Priorities for assistance shall be based on criticalness of the need for a  
3 specialty as determine by the *Board of Medical Examiners*.

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5 **§47109. Administration of the Program.** The administration of the program of  
6 this Chapter shall be the responsibility of the University of Guam. The President  
7 of the University of Guam shall submit a budget annually to *I Liheslatura* for the  
8 administrative costs of the program. The president shall also submit an estimate  
9 anticipated funding requirements for the MET program delineated by (1) existing  
10 obligations and (2) prospective awards.