



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB0494**

Introduced 2/1/2007, by Rep. John E. Bradley

#### SYNOPSIS AS INTRODUCED:

110 ILCS 935/3.05  
110 ILCS 935/10

from Ch. 144, par. 1453.05  
from Ch. 144, par. 1460

Amends the Family Practice Residency Act. Adds a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 with a specialty in Psychiatry to the definition of "primary care physician". Provides that any monetary penalties imposed after December 31, 1999 and before the effective date of the amendatory Act upon a scholarship recipient who has been found by the Department of Public Health to have failed to fulfill his or her obligation under the Act, but who has been practicing as a psychiatrist within a designated shortage area during that time, must be declared null and void by the Department, and any payments made to the Department by the scholarship recipient must be returned to that scholarship recipient within a reasonable amount of time, as determined by the Department. Effective immediately.

LRB095 03426 RAS 23430 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 WHEREAS, The General Assembly finds and recognizes that  
3 there is a shortage of psychiatrists in designated shortage  
4 areas within this State; therefore

5 **Be it enacted by the People of the State of Illinois,**  
6 **represented in the General Assembly:**

7 Section 5. The Family Practice Residency Act is amended by  
8 changing Sections 3.05 and 10 as follows:

9 (110 ILCS 935/3.05) (from Ch. 144, par. 1453.05)

10 Sec. 3.05. "Primary care physician" means a person licensed  
11 to practice medicine in all of its branches under the Medical  
12 Practice Act of 1987 with a specialty in Family Practice,  
13 Internal Medicine, Obstetrics and Gynecology, ~~or~~ Pediatrics,  
14 or Psychiatry as defined by recognized standards of  
15 professional medical practice.

16 (Source: P.A. 85-1209.)

17 (110 ILCS 935/10) (from Ch. 144, par. 1460)

18 Sec. 10. (a) Scholarship recipients who fail to fulfill the  
19 obligation described in subsection (d) of Section 3.07 of this  
20 Act shall pay to the Department a sum equal to 3 times the  
21 amount of the annual scholarship grant for each year the

1 recipient fails to fulfill such obligation. A scholarship  
2 recipient who fails to fulfill the obligation described in  
3 subsection (d) of Section 3.07 shall have 30 days from the date  
4 on which that failure begins in which to enter into a contract  
5 with the Department that sets forth the manner in which that  
6 sum is required to be paid. If the contract is not entered into  
7 within that 30 day period or if the contract is entered into  
8 but the required payments are not made in the amounts and at  
9 the times provided in the contract, the scholarship recipient  
10 also shall be required to pay to the Department interest at the  
11 rate of 9% per annum on the amount of that sum remaining due  
12 and unpaid. The amounts paid to the Department under this  
13 Section shall be deposited into the Community Health Center  
14 Care Fund and shall be used by the Department to improve access  
15 to primary health care services as authorized by subsection (a)  
16 of Section 2310-200 of the Department of Public Health Powers  
17 and Duties Law (20 ILCS 2310/2310-200).

18 (b) Any monetary penalties, including accumulated interest  
19 fees, imposed under this Section after December 31, 1999 and  
20 before the effective date of this amendatory Act of the 95th  
21 General Assembly upon a scholarship recipient who has been  
22 found by the Department to have failed to fulfill the  
23 obligation set forth in subsection (d) of Section 3.07 of this  
24 Act, but who has been practicing as a psychiatrist within a  
25 Designated Shortage Area after December 31, 1999 and before the  
26 effective date of this amendatory Act of the 95th General

1 Assembly, must be declared null and void by the Department, and  
2 any payments made to the Department by the scholarship  
3 recipient must be returned to that scholarship recipient within  
4 a reasonable amount of time, as determined by the Department.

5 (c) The Department may transfer to the Illinois Finance  
6 Authority, into an account outside the State treasury, moneys  
7 in the Community Health Center Care Fund as needed, but not to  
8 exceed an amount established, by rule, by the Department to  
9 establish a reserve or credit enhancement escrow account to  
10 support a financing program or a loan or equipment leasing  
11 program to provide moneys to support the purposes of subsection  
12 (a) of Section 2310-200 of the Department of Public Health  
13 Powers and Duties Law (20 ILCS 2310/2310-200). The disposition  
14 of moneys at the conclusion of any financing program under this  
15 Section shall be determined by an interagency agreement.

16 (Source: P.A. 93-205, eff. 1-1-04.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.