

## Chapter Comm 122

### PHYSICIAN LOAN ASSISTANCE PROGRAM

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Note: Chapter DOD 22 was renumbered chapter Comm 122 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, June, 1997, No. 498.

**Comm 122.01 Purpose.** The purpose of this chapter is to establish provisions necessary for the administration of those aspects of the physician educational loan assistance program which relate to the following:

(1) The identification of eligible practice areas as provided under s. 560.183 (1) (ag) and (7), Stats.

(2) The establishment of priorities among eligible applicants.

(3) The procedures under which physicians may apply for assistance under this chapter and the procedures under which the department shall make determinations in regard to physician applications.

History: Cr. Register, November, 1991, No. 431, eff. 12-1-91; am. (intro.), Register, August, 1995, No. 476, eff. 9-1-95.

**Comm 122.02 Definitions.** (1) "Department" means the department of commerce.

(1m) "Educational loan" means a health education assistance loan, a plus loan, a national direct student loan, a stafford loan, a health professions student loan, a supplemental loan for students, a guaranteed student loan from a state education financial aid office, a university sponsored student loan, a trust fund loan, a scholastic loan, a foundation loan or any other loan that the department determines is exclusively for educational purposes, and that was obtained by the physician from a public or private lending institution for education in an accredited school of medicine or for post graduate medical training.

(2) "Obstetric shortage area" has the meaning contained in s. 560.183 (1) (ar), Stats.

(3) "Primary care shortage area" has the meaning contained in s. 560.183 (1) (cm), Stats.

(4) "Psychiatric shortage area" has the meaning contained in s. 560.183 (1) (d), Stats.

History: Cr. Register, November, 1991, No. 431, eff. 12-1-91; cr. (1m), Register, August, 1995, No. 476, eff. 9-1-95.

**Comm 122.03 Primary care shortage area.** (1) Pursuant to s. 560.183 (7), Stats., the department shall identify as a primary care shortage area any geographical area that conforms to the definition in s. Comm 122.02 (3) and that meets one of the following:

(a) Contains a population which has limited access to contiguous area primary medical care as measured by a travel time of 30 minutes or more for the majority of persons residing in the area to reach such contiguous area primary medical care.

(b) Contains a population which has limited access to contiguous area primary medical care because there is an unusually high percentage of non-english speaking persons or an unusually high percentage of households with incomes below the poverty level and neither medicaid covered nor public primary medical care are available in a contiguous area.

History: Cr. Register, November, 1991, No. 431, eff. 12-1-91.

**Comm 122.04 Obstetric shortage area.** Pursuant to s. 560.183 (7), Stats., the department shall identify as an obstetric

shortage area any geographic area that conforms to the definition in s. Comm 122.02 (2), that contains a population with limited access to contiguous area obstetric care as provided in s. Comm 122.03 (1) (a) or (b) and that meets one of the following:

(1) Has a ratio of population to obstetric care providers greater than 11,000 to 1.

(2) Faces an impending loss of existing obstetric care.

(3) Has a need for additional obstetric care identified by existing area obstetricians or primary care physicians who also provide obstetric care.

(4) At least 67% of the pregnant women who reside in the area obtain obstetric care outside of the proposed obstetric shortage area.

History: Cr. Register, November, 1991, No. 431, eff. 12-1-91.

**Comm 122.05 Psychiatric shortage area.** (1) The department shall identify as a psychiatric shortage area any geographic area that conforms to the definition in s. Comm 122.02 (4).

(2) In addition to conforming to s. Comm 122.02 (4), a written agreement between the department and a physician specializing in psychiatry shall require that the physician enter into an agreement with the board or boards created under s. 51.42, Stats., which operate in the psychiatric shortage area, to provide at least 8 hours of psychiatric care per week to clients of the board or boards.

History: Cr. Register, November, 1991, No. 431, eff. 12-1-91.

**Comm 122.06 Priorities among eligible applicants.** If the cost of repaying the educational loans of all eligible applicants, when added to the cost of educational loan repayments scheduled under existing agreements, exceeds the total amount in the appropriation under s. 20.143 (1) (fe) and (jm), Stats., the department shall establish priorities among eligible applicants based upon the following considerations:

(1) EXTREMELY HIGH NEED FOR MEDICAL CARE. The degree to which there is an extremely high need for medical care in the eligible practice area in which the physician proposes to practice.

(2) PHYSICIAN RETENTION. The likelihood of long term retention of the physician.

(3) PER CAPITA INCOME. The average per capita income in the eligible practice area in which the physician plans to practice.

(4) FINANCIAL SUPPORT FOR PHYSICIAN RECRUITMENT AND RETENTION. The extent of local financial support provided to recruit or retain the physician for the eligible practice area.

(5) LENGTH OF SERVICE. The degree to which the medical service is new to the eligible practice area.

(6) PROVISION OF OBSTETRIC SERVICES. The agreement of a primary care physician to provide obstetric services in a primary care shortage area that is also an obstetric shortage area.

(7) GEOGRAPHIC DISTRIBUTION. The geographical distribution of physicians with whom the department has existing agreements and the geographical distribution of eligible applicants..

(8) EDUCATIONAL LOAN BALANCE. The educational loan balance of the eligible applicant.

History: Cr. Register, November, 1991, No. 431, eff. 12-1-91; am. (intro.) and (8), Register, August, 1995, No. 476, eff. 9-1-95.

**Comm 122.07 Application process.** (1) Applications shall be in such form as the department may require and shall contain the following information:

- (a) Evidence of medical school attendance.
- (b) Evidence of educational loan indebtedness and educational loan outstanding balance.
- (c) The location of the applicant's current or proposed practice.
- (d) Any other information the department may require to make

a determination in accordance with the provisions of s. 560.183, Stats., and this chapter.

(2) The department shall prepare application materials that it may update as necessary.

*Note:* Application materials may be obtained from the Division of Community Development, Department of Commerce, P.O. Box 7970, Madison, Wisconsin 53707 or the University of Wisconsin Office of Rural Health, 740 WARF Building, 610 Walnut Street, Madison, Wisconsin 53705.

*History:* Cr. Register, November, 1991, No. 431, eff. 12-1-91; am. (1)(b), Register, August, 1995, No. 476, eff. 9-1-95.