

Loan Repayment Program Rulemaking (9 A.A.C. 15 ART 2)

October 20 Stakeholder Meeting

Stakeholder Comments and ADHS Responses

R9-15-XXX. Primary Care Provider Loan Repayment Program

(C)(2) ... Service site's highest HPSA score whether geographic, facility, or population, assigned by the United States Secretary of Health and Human Services for the area in which the service site is located;

Comment: Request to clarify that highest HPSA score is based on type of discipline (medical, dental, mental) and asked the Department to indicate what designation would be given a pharmacist since current HRSA-HPSA designation does not include pharmacy.

Response: Department revised rules as follows:

- Service site's highest HPSA score consistent with R9-15-206(X) provided by the primary care provider, whether geographic, facility, or population, assigned by the United States Secretary of Health and Human Services for the area in which the service site is located; and
- Added new rule stating that "When determining a service site's highest HPSA score in subsection (C)(2), for a primary care provider who is a pharmacist, the Department shall use the HPSA score for primary medical services as the pharmacist's HPSA score."
- R9-15-206(X) ... "To determine a services site's highest HPSA score, the Department shall apply the following HPSA designations:
 1. A Primary Medical Care HPSA if a primary care provider provides medical or pharmaceutical primary care services;
 2. A Dental HPSA if a primary care provider provides dental primary care services; and
 3. A Mental Health HPSA if a primary care provider provides behavioral health primary care services.

(C)(3) ... Percentage of primary care services having a method of payment using AHCCCS, Medicare, or a reduced primary care service fees based on a service site's approved sliding-fee schedule:

Comment: Request to make clearer that the percentage represents all payments received from AHCCCS, Medicare and payments reduced based on sliding-fee schedule.

Response: Department revised the rule as follows:

- The percentage of the total encounters reported according to R9-15-207(B)(2)(n)(xiii) that are AHCCCS, Medicare, approved sliding-fee schedule, and free of charge encounters:

(C)(4) ... Except for a service site located at a state or federal prison, if:

- a. A medical primary care provider, the distance from the primary care provider's service site to the next service site that provides medical services and offers reduced primary care services fees according to an approved sliding-fee schedule:

Loan Repayment Program Rulemaking (9 A.A.C. 15 ART 2)

October 20 Stakeholder Meeting

<u>Miles</u>	<u>Points</u>
<u>Greater than 25</u>	<u>4</u>
<u>Less than 25</u>	<u>0</u>

Comment: Request that the Department make an exception for services sites located on tribal land regarding requirement to have an approved sliding-fee schedule and stated that a number of service sites on tribal land do not have a sliding-fee schedule. Also, request that rather than using 'miles' as a measure for determining health service priority points to use 'time' instead and stated that a many tribal land roads are not maintained in the same conditions as public roads.

Response: Department explained that the sliding-fee schedule is a requirement for the federal State Loan Repayment Program and Arizona State Loan Repayment Program for both primary care providers and service sites in order to receive loan repayment funds. The Department' also explained that the use of "miles" is consistent with federal requirements. The rules remain unchanged.

(C)(7) ... Experience providing primary care services to a medically underserved population:

- a. Yes = 4 points, or
- b. No = 0 point;

Comment: Commenter asked if a definition for "experience provided in a medically underserved population" will be added to rule and expressed concerns regarding the types of volunteer experience that will be allowed, believing that where, when, how, and specific type of health services provided – all matter.

Response: Department agreed with commenter and stated that writers are drafting a definition and that the rules will include the types of documents a primary care provider will need to submit to demonstrate their experience provided in a medically underserved population.

(C)(10) ... Whether the primary care provider only provides primary care services when the primary care provider and a patient are at the same location:

- a. Yes = 4 points or
- b. No = 0 points.

Comment: Request that the Department consider revising language to make clearer and lower number of points allowed.

Response: Department explained that the Department carefully drafted language to encourage primary care providers to provide face-to-face primary care services rather than telemedicine. Department discussed points assigned and given that points can be as high as 10, the Department believes 4 points is a lower-appropriate level of points to assign to this factor.

- Optional (similar) language ... **Whether the primary care provider only provides primary care services to a patient when both are physically present in the same location:**

(G) ... If more than one initial application packet or renewal application or if more than two initial application packet or renewal application for the same service site is eligible to participate in the Primary Care Provider LRP remains after the Department's determinations in subsection (F) and there are limited loan repayment

Loan Repayment Program Rulemaking (9 A.A.C. 15 ART 2)

October 20 Stakeholder Meeting

funds available, the Department will randomly select one initial application packet or renewal application to approve to participation in the Primary Care Provider LRP.

Comment: Request that the Department allow for more than two primary care providers at the same service site.

Response: Department stated that the Department does allow for more than two at the same service if funds are available and that the language allowing for more than two is located in a different rule section.

R9-15-XXX. Rural Private Primary Care Provider Loan Repayment Program

Same comments apply to Rural Private Primary Care Provider Loan Repayment Program as R9-15-XXX Primary Care Provider Loan Repayment Program

R9-15-202. Allocation of Loan Repayment Funds

No comments

R9-15-208. Time-frames

No comments

R9-15-207. Initial Application Packet

(B)(2)(j) ... For each service site a primary care provider will provide primary care services at, a copy of a contract, a letter verifying employment, or a letter of intent to hire signed by the primary care provider and the licensee from the service site where the primary care provider will provide primary care services including:

Comment: Request that Department revise rules to clarify that service sites located on tribal land are owned and operated by the tribe.

Response: Department revised rules as follows:

- **(B)(2)(j)** Except for a service site located on tribal land, for each service site a primary care provider will provide primary care services at, a copy of a contract, a letter verifying employment, or a letter of intent to hire signed by the primary care provider and the licensee from the service site where the primary care provider will provide primary care services including:
- **(B)(2)(p)** If a service site is on tribal land or if the primary care provider's employer is not the licensee of the service site identified in subsection (B)(2), documentation in a Department provided-format that includes:
 - i. An attestation that the tribal authority or employer will comply with the requirements required in R9-15-205;
 - ii. The name, title, and telephone number of a contact person associated with the tribal authority or employer;
 - iii. Whether the primary care provider is providing primary care services full-time or part-time;

Loan Repayment Program Rulemaking (9 A.A.C. 15 ART 2)

October 20 Stakeholder Meeting

- iv. The dates that the primary care provider is scheduled to begin and end providing primary care services;
 - v. Agrees to notify the Department when the employment status of the primary care provider changes; and
 - vi. The [tribal authority's](#) or employer's signature and date of signature.
- (C) If more than one service site licensee, [tribal authority](#), or employer is identified in subsection (m) or (n), the signature and date of signature of each service site licensee, [tribal authority](#), or employer.

DRAFT