

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 572

FISCAL
NOTE

By Senators Takubo, Woelfel, Plymale, Deeds,
Hamilton, and Woodrum

[Introduced January 26, 2024; referred
to the Committee on Health and Human Resources;
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §16-5EE-1, §16-5EE-2, §16-5EE-3, §16-5EE-4, §16-5EE-5, §16-5EE-6, §16-
 3 5EE-7, §16-5EE-8, and §16-5EE-9, all relating to recruitment of forensic pathologists;
 4 setting forth purpose; defining terms; setting forth eligibility criteria; setting forth required
 5 loan repayment documents and procedure; designating the Department of Health to
 6 administer the program; setting forth award requirements and procedure; creating a fund;
 7 requiring rulemaking; and setting forth minimum salary.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5EE. FORENSIC PATHOLOGY RECRUITMENT PROGRAM.

§16-5EE-1. Purpose.

1 Forensic pathologists are medically trained doctors who perform autopsies. There is a
 2 persistent shortage in forensic pathologists both locally and nationally and this problem has only
 3 grown worse. The purpose of this article is to incentivize people to enter the profession by
 4 alleviating the student loan burden for medically trained forensic pathologists.

§16-5EE-2. Definitions.

1 For purpose of this article:
 2 "Accredited medical school" means a medical school accredited by either the Liaison
 3 Committee on Medical Education or the American Osteopathic Association Commission on
 4 Osteopathic College Accreditation.
 5 "Department" means the Department of Health.

§16-5EE-3. Eligibility for loan repayment program.

1 To be eligible for the loan repayment program the participant shall:
 2 (1) Have a degree from an accredited school;
 3 (2) Be licensed in West Virginia;
 4 (3) Be employed as a full-time board-certified physician serving as a forensic pathologist
 5 by the Office of the Chief Medical Examiner;

6 (4) Applicants must fulfill 12 consecutive months of employment service for each year of
7 loan repayment award requested and are subject to the following requirements:

8 (A) Employment prior to the start date with the Office of the Chief Medical Examiner cannot
9 be used to fulfill the twelve consecutive months employment service requirement;

10 (B) Twelve consecutive months of employment service cannot be used for more than one
11 loan repayment from the Forensic Pathology Recruitment Program;

12 (C) No partial year employment service shall be considered for loan repayment;

13 (D) The Department of Health must confirm an applicant's employment service dates and
14 job position; and

15 (E) Applicants may qualify for up to 10 years of Forensic Pathology Recruitment Program
16 with 10 years of eligible employment service. This eligibility determination will be conducted on a
17 year to year basis and is subject to the other provisions of this article.

18 (5) The Applicant must have an outstanding balance on one or more eligible student loans;

19 (6) The student loan shall be and eligible loan and in the name of the applicant;

20 (7) The student loan shall be in good standing; and

21 (8) The applicant shall continue to make their loan payments as directed by the lender
22 agreements.

§16-5EE-4. Loan repayment documents and procedure to request loan repayment; and
Department of Health to administer program.

1 (a) An applicant seeking loan repayment shall submit the required documentation to the
2 Department of Health by July 1 each year, which documentation shall include at a minimum an
3 application seeking loan repayment, an employer verification, and a lender verification.

4 (1) The application, employer verification, and lender verification shall be completed and
5 submitted for each year the applicant wishes to be considered for the Forensic Pathology
6 Recruitment Program. The award shall only be made on a year to year basis.

7 (2) The applicant shall submit, an account number, loan balance, and loan status for a loan

8 repayment to be made on an applicant's behalf.

9 (b) The Department of Health is to administer the loan repayment program in administering
10 the program it shall:

11 (1) Review completed requests for loan repayment and all supporting documentation to
12 verify and determine an applicant's eligibility for a loan repayment program;

13 (2) Notify applicants regarding the status of their loan repayment requests; and

14 (3) Publicize the program, particularly to maximize participation among individuals
15 expected to experience the greatest growth in the workforce.

16 (c) Recipients are approved based upon eligibility and a first come first serve basis as
17 funds _____ are _____ available.

§16-5EE-5. Award requirements and procedures for dispersing funds.

1 (a) Annual graduated loan repayment amounts are based on a recipient's year of eligibility
2 and participation and the program;

3 (b) The maximum loan payment amount for each year shall not exceed 10% of the total
4 amount of the loan, including interest as provided in the lender verification form;

5 (c) The aggregate loan repayment limit, per recipient, is \$300,000 over the 10-year
6 eligibility period;

7 (d) A loan repayment award shall be submitted directly to the lender, indicated on the
8 lender verification form, for payment toward eligible outstanding student loans; and

9 (e) Recipients cannot be issued a refund from the lender based on the loan repayments
10 made from the loan program.

§16-5EE-6. Creation of fund.

1 There is created in the State Treasury a general revenue fund known as the Forensic
2 Pathology Recruitment Program Fund. The fund shall be comprised of moneys appropriated by
3 the Legislature and moneys deposited into the Fund to support the Forensic Pathology
4 Recruitment Program Fund. The funds do not expire to the General Revenue Fund but shall

5 remain in the account and be available for expenditure in succeeding fiscal years. Expenditures
 6 from the Forensic Pathology Recruitment Program Fund shall be for the purposes set forth in this
 7 article. In the event that no funding exists in this fund, there is no obligation to administer a loan
 8 repayment program. The loan repayment program is limited to funding availability.

§16-5EE-7. Record retention.

1 The Department of Health shall maintain accurate records, books, and other evidence
 2 concerning the Forensic Pathology Recruitment Program and its related fund, including but not
 3 limited to individual applicant files for whichever is longer:

- 4 (1) Six years after the award year in which the loan repayment was awarded; or
- 5 (2) For such other period as required by applicable, statute, rule, or regulation.

§16-5EE-8. Rulemaking.

1 The Department of Health shall propose rules for legislative approval in accordance with
 2 the provision of §29A-3-1 et seq. of this code to administer this program and which are consistent
 3 with this article, including but not limited to setting for a listing of eligible loans.

§16-5EE-9. Salary requirements.

1 The salary of a physician serving as a forensic pathologist in the Office of the Chief Medical
 2 Examiner shall be paid at or above the 90th percentile for West Virginia as established by the
 3 Medical Group Management Association and shall be updated every two years thereafter.

NOTE: The purpose of this bill is to create a student loan repayment program for forensic pathology loan repayment program and to establish the salary requirements for a physician serving as a forensic pathologist.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.