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HEALTH AND SAFETY CODE - HSC

DIVISION 107. HEALTH CARE ACCESS AND INFORMATION [127000 - 130079] (*Heading of Division 107 amended by Stats. 2021, Ch. 143, Sec. 28.*)

PART 3. HEALTH PROFESSIONS DEVELOPMENT [127775 - 128565] (*Part 3 added by Stats. 1995, Ch. 415, Sec. 9.*)

CHAPTER 5. Health Professions Education Programs [128330 - 128565] (*Heading of Chapter 5 amended by Stats. 2021, Ch. 143, Sec. 159.*)

ARTICLE 1. Health Professions Education Programs [128330 - 128371] (*Heading of Article 1 amended by Stats. 2021, Ch. 143, Sec. 160.*)

128330. As used in this article:

- (a) "Board" means the Board of Trustees of the Health Professions Education Foundation.
- (b) "Council" means the California Health Workforce Education and Training Council.
- (c) "Director" means the Director of the Department of Health Care Access and Information.
- (d) "Foundation" means the Health Professions Education Foundation.
- (e) "Health professions" or "health professionals" means physicians and surgeons licensed pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code or pursuant to the Osteopathic Act, dentists, registered nurses, and other health professionals determined by the department to be needed in medically underserved areas.
- (f) "Department" means the Department of Health Care Access and Information.
- (g) "Underrepresented groups" means populations that are underrepresented in medicine, dentistry, nursing, or other health professions as determined by the department. The department, upon a finding that the action is necessary to meet the health care needs of medically underserved areas, may add a group comprising the economically disadvantaged to those groups authorized to receive assistance under this article. The department shall recognize that it is especially important that medical and dental care be provided in a way that is sensitive to the sociocultural variables that affect a person's health.

(*Amended by Stats. 2021, Ch. 143, Sec. 161. (AB 133) Effective July 27, 2021.*)

128337. Notwithstanding any other law, on or before October 1, 2021, the nonprofit public benefit corporation known as the Health Professions Education Foundation shall be dissolved. All assets, including records, and any liabilities shall be transferred to the department.

(*Added by Stats. 2021, Ch. 143, Sec. 163. (AB 133) Effective July 27, 2021.*)

128338. Effective with the dissolution of the Health Professions Education Foundation, any reference to the Health Professions Education Foundation, or the Foundation, in this chapter shall be deemed a reference to the department.

(*Added by Stats. 2021, Ch. 143, Sec. 164. (AB 133) Effective July 27, 2021.*)

128345. The department may do any of the following:

- (a) Solicit and receive funds from business, industry, foundations, and other private or public sources for the purpose of providing financial assistance in the form of scholarships or loans to students from underrepresented groups. These funds shall be expended by the department after transfer to the Health Professions Education Fund, created pursuant to Section 128355.
- (b) Disburse private sector moneys deposited in the Health Professions Education Fund to students from underrepresented groups enrolled in or graduated from schools of medicine, dentistry, nursing, or other health professions in the form of loans or scholarships.
- (c) Encourage private sector institutions, including hospitals, community clinics, and other health agencies to identify and provide educational experiences to students from underrepresented groups who are potential applicants to schools of medicine, dentistry,

nursing, or other health professions.

(d) Implement the Steven M. Thompson Physician Corps Loan Repayment Program and the Volunteer Physician Program, as provided under Article 5 (commencing with Section 128550).

(Amended by Stats. 2021, Ch. 143, Sec. 166. (AB 133) Effective July 27, 2021.)

128350. The department shall do all of the following:

(a) Provide technical and staff support to the programs in meeting all of its responsibilities.

(b) Provide financial management for the Health Professions Education Fund.

(c) Enter into contractual agreements with students from underrepresented groups for the disbursement of scholarships or loans in return for the commitment of these students to practice their profession in an area in California designated as deficient in primary care services.

(d) Disseminate information regarding the areas in the state that are deficient in primary care services to potential applicants for the scholarships or loans.

(e) Monitor the practice locations of the recipients of the scholarships or loans.

(f) Recover funds, in accordance with the terms of the contractual agreements, from recipients of scholarships or loans who fail to begin or complete their obligated service. Funds so recovered shall be redeposited in the Health Professions Education Fund.

(g) Contract with the institutions that train family practice residents, in order to increase the participation of students from underrepresented groups in entering the specialty of family practice. The director may seek the recommendations of the council as to what programs best demonstrate the ability to meet this objective.

(h) Contract with training institutions that are involved in osteopathic postgraduate training in general or family practice medicine, in order to increase the participation of students from underrepresented groups participating in the practice of osteopathic medicine. The director may seek the recommendations of the council as to what programs have demonstrated the ability to meet this objective.

(i) Enter into contractual agreements with graduated health professionals to repay some or all of the debts they incurred in health professional schools in return for practicing their professions in an area in California designated as deficient in primary care services.

(j) Contract with institutions that award baccalaureate of science degrees in nursing in order to increase the participation of students from underrepresented groups in the nursing profession. The director may seek the recommendations of the council as to what programs have demonstrated the ability to meet this objective.

(Amended by Stats. 2021, Ch. 143, Sec. 167. (AB 133) Effective July 27, 2021.)

128355. There is hereby created within the department a Health Professions Education Fund. The primary purpose of this fund is to provide scholarships and loans to students from underrepresented groups who are accepted to or enrolled in schools of medicine, dentistry, nursing, or other health professions. The fund shall also be used to pay for the cost of administering the program and for any other purpose authorized by this article. The level of expenditure by the department for the administrative support of the program created pursuant to this article shall be subject to review and approval annually through the State Budget process. The department may receive private donations to be deposited into this fund. All money in the fund is continuously appropriated to the department for the purposes of this article. The department shall manage this fund prudently in accordance with other provisions of law.

(Amended by Stats. 2021, Ch. 143, Sec. 168. (AB 133) Effective July 27, 2021.)

128360. (a) In administering this chapter, the department shall be exempt from the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The department shall provide opportunities for public participation as it administers the Health Professions Education Programs. Information about each type of scholarship or loan repayment opportunity shall be publicly available at least 60 days prior to any application deadline. This information shall include eligibility criteria and the application process, materials, and deadlines, and shall be posted on the department's internet website and be available directly from the department. All the information shall remain posted and available during the entire application period for a funding cycle.

(b) Regulations that have been adopted to administer this chapter prior to the effective date of this section are repealed as of the effective date of this section.

(Repealed and added by Stats. 2021, Ch. 143, Sec. 170. (AB 133) Effective July 27, 2021.)

128365. Notwithstanding any other provision, applications for financial assistance under this article, or other documents that the department reasonably determines should not be discussed in public due to privacy considerations shall be exempt from the disclosure provisions of the Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

(Amended by Stats. 2022, Ch. 28, Sec. 107. (SB 1380) Effective January 1, 2023.)

128370. Notwithstanding any other law, the department may exempt from public disclosure any document in the possession of the department that pertains to a donation made pursuant to this article if the donor has requested anonymity.

(Amended by Stats. 2021, Ch. 143, Sec. 172. (AB 133) Effective July 27, 2021.)

128371. (a) The Legislature finds and declares that it is in the best interest of the State of California to provide persons who are not lawfully present in the United States with the state benefits provided by those programs listed in subdivision (d), and therefore, enacts this section pursuant to Section 1621(d) of Title 8 of the United States Code.

(b) A program listed in subdivision (d) shall not deny an application based on the citizenship status or immigration status of the applicant.

(c) For any program listed in subdivision (d), when mandatory disclosure of a social security number is required, an applicant shall provide their social security number, if one has been issued, or an individual tax identification number that has been or will be submitted.

(d) This section applies to all of the following:

(1) Programs supported through the Health Professions Education Fund pursuant to Section 128355.

(2) The Registered Nurse Education Fund created pursuant to Section 128400.

(3) The Mental Health Practitioner Education Fund created pursuant to Section 128458.

(4) The Vocational Nurse Education Fund created pursuant to Section 128500.

(5) The Medically Underserved Account for Physicians created pursuant to Section 128555.

(6) Loan forgiveness and scholarship programs created pursuant to Part 3.1 (commencing with Section 5820) of Division 5 of the Welfare and Institutions Code.

(7) The Song-Brown Health Care Workforce Training Act created pursuant to Article 1 (commencing with Section 128200) of Chapter 4.

(8) To the extent permitted under federal law, the program administered by the department pursuant to the federal National Health Service Corps State Loan Repayment Program (42 U.S.C. Sec. 254q-1), commonly known as the California State Loan Repayment Program.

(9) The programs administered by the department pursuant to the Health Professions Career Opportunity Program (Section 127885), commonly known as the Mini Grants Program, and California's Student/Resident Experiences and Rotations in Community Health, commonly known as the CalSEARCH program.

(Amended by Stats. 2021, Ch. 143, Sec. 173. (AB 133) Effective July 27, 2021.)