

97931.06 Process for Reinstatement into the Program

(a)

A physician who leaves the program may petition the program for reinstatement into the program. The petition shall be in writing, accompanied by those documents necessary to establish the basis for the petition, and shall be filed with the program not later than 365 calendar days after the date of the notification from the program described in section 97931.05(b). The petition shall explain why the factors contributing to the petitioner's inability to complete the prior obligation no longer exist. The petition shall be accompanied by a certification under penalty of perjury, signed and dated by the practice setting's administrative officer, whose name is printed below his/her signature, that the facility has entered into an agreement with the physician for a minimum of three years; that the physician can speak a Medi-Cal threshold language; that it will pay the physician a prevailing wage and not offset any loan repayments by the program against the physician's salary; and that it is a "practice setting" as defined in Section 128552(i) of the code. A petition shall be accepted for filing only if it is based on one or more of the following grounds: (1) The physician was terminated without cause. (2) The physician was unable to complete the required three years of service due to factors beyond the physician's control. (3) Both the practice setting and the physician agreed to the termination of the physician's employment.

(1)

The physician was terminated without cause.

(2)

The physician was unable to complete the required three years of service due to factors beyond the physician's control.

(3)

Both the practice setting and the physician agreed to the termination of the physician's employment.

(b)

The program shall review the petition and supporting documents and shall notify the petitioner in writing of its decision within 60 working days after receipt of a complete petition. The program shall decide the petition based upon, in its sole discretion, available funds and the cultural and linguistic needs, and demands of the underserved populations, and the petitioner's ability to comply with the terms of the program.