

Chapter 28B.115 RCW
WASHINGTON HEALTH CORPS

(Formerly: Health professional conditional scholarship program)

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RCW 28B.115.010 Legislative findings—Intent. The legislature finds that changes in demographics, the delivery of health care services, and an escalation in the cost of educating health professionals has resulted in shortages of health professionals. A poor distribution of health care professionals has resulted in a surplus of some professionals in some areas of the state and a shortage of others in other parts of the state, such as in the more rural areas and in behavioral health services. The high cost of health professional education requires that health care practitioners command higher incomes to repay the financial obligations incurred to obtain the required training. Health professional shortage areas are often areas that have troubled economies and lower per capita incomes. These areas often require more services because the health care needs are

greater due to poverty or because the areas are difficult to service due to geographic circumstances. The salary potentials for shortage areas are often not as favorable when compared to nonshortage areas and practitioners are unable to serve. The legislature further finds that encouraging health professionals to serve in shortage areas is essential to assure continued access to health care for persons living in these parts of the state.

The legislature also finds that one in five adults in the United States experiences mental illness in any given year, but only forty-one percent of adults with a mental health condition received mental health services in 2016, according to the national institute of mental health. The *children's mental health work group found that in 2013, only forty percent of children on medicaid with mental health treatment needs were receiving services. Individuals seeking behavioral health services may have trouble receiving the help they need from health care professionals because behavioral health services are limited due to workforce shortages of behavioral health providers. The legislature further finds that encouraging more health care professionals to practice behavioral health in areas with limited services would benefit the state by creating greater access to behavioral health services and by having more health care professionals experienced in providing behavioral health services.

Therefore, the legislature intends to establish the Washington health corps to encourage more health care professionals to work in underserved areas by providing loan repayment and conditional scholarships in return for completing a service commitment. [2019 c 302 § 1; 1989 1st ex.s. c 9 § 716. Formerly RCW 18.150.010.]

***Reviser's note:** The "children's mental health work group" was renamed the "children and youth behavioral health work group" by 2020 c 130 § 1.

RCW 28B.115.020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Approved nursing program" means a nursing educational program that leads to a degree or licensure in nursing that is approved by the *nursing care quality assurance commission under RCW 18.79.070 and is located at an institution of higher education that is authorized to participate in state financial aid programs under chapter 28B.92 RCW.

(2) "Council" means the Washington state forensic investigations council created in chapter 43.103 RCW.

(3) "Credentialed health care profession" means a health care profession regulated by a disciplining authority in the state of Washington under RCW 18.130.040 or by the pharmacy quality assurance commission under chapter 18.64 RCW and designated by the department in RCW 28B.115.070 as a profession having shortages of credentialed health care professionals in the state.

(4) "Credentialed health care professional" means a person regulated by a disciplining authority in the state of Washington to practice a health care profession under RCW 18.130.040 or by the pharmacy quality assurance commission under chapter 18.64 RCW.

(5) "Department" means the state department of health.

(6) "Eligible education and training programs" means education and training programs approved by the department that lead to

eligibility for a credential as a credentialed health care professional.

(7) "Eligible expenses" means reasonable expenses associated with the costs of acquiring an education such as tuition, books, equipment, fees, room and board, and other expenses determined by the office.

(8) "Eligible student" means a student who has been accepted into an eligible education or training program and has a declared intention to serve in a health professional shortage area upon completion of the education or training program.

(9) "Forgiven" or "to forgive" or "forgiveness" means to render health care services in a health professional shortage area, an underserved behavioral health area, or as a nurse educator in the state of Washington in lieu of monetary repayment.

(10) "Health professional shortage areas" means those areas where credentialed health care professionals are in short supply as a result of geographic maldistribution or as the result of a short supply of credentialed health care professionals in specialty health care areas and where vacancies exist in serious numbers that jeopardize patient care and pose a threat to the public health and safety. The department shall determine health professional shortage areas as provided for in RCW 28B.115.070. In making health professional shortage area designations in the state the department may be guided by applicable federal standards for "health manpower shortage areas," and "medically underserved areas," and "medically underserved populations."

(11) "Identified shortage areas" means those areas where qualified forensic pathologists are in short supply because of geographic maldistribution or where vacancies exist that may compromise death investigations. The council, with assistance from the department, shall determine shortage areas.

(12) "Loan repayment" means a loan that is paid in full or in part if the participant:

(a) Renders health care services in a health professional shortage area or an underserved behavioral health area as defined by the department;

(b) Teaches as a nurse educator for an approved nursing program; or

(c) Renders services as a qualified board-certified forensic pathologist as determined by the department.

(13) "Nonshortage rural area" means a nonurban area of the state of Washington that has not been designated as a rural physician shortage area. The department shall identify the nonshortage rural areas of the state.

(14) "Nurse educator" means an individual with an advanced nursing degree beyond a bachelor's degree that teaches nursing curriculum and is a faculty member for an approved nursing program.

(15) "Office" means the office of student financial assistance.

(16) "Participant" means:

(a) A credentialed health care professional who has received a loan repayment award and has commenced practice as a credentialed health care provider in a designated health professional shortage area or an underserved behavioral health area;

(b) A nurse educator teaching in an approved nursing program;

(c) An eligible student who has received a scholarship under this program; or

(d) A board-certified forensic pathologist who has commenced working in or is committed to working in identified shortage areas in

the state of Washington for the pathologist's required service obligation.

(17) "Required service obligation" means an obligation by the participant to:

(a) Provide health care services in a health professional shortage area or an underserved behavioral health area for a period to be established as provided for in this chapter;

(b) Teach as a nurse educator for a period to be established as provided for in this chapter; or

(c) Provide services as a board-certified forensic pathologist in identified shortage areas as determined by the council.

(18) "Rural physician shortage area" means rural geographic areas where primary care physicians are in short supply as a result of geographic maldistributions and where their limited numbers jeopardize patient care and pose a threat to public health and safety. The department shall designate rural physician shortage areas.

(19) "Satisfied" means paid-in-full.

(20) "Scholarship" means a loan that is forgiven in whole or in part if the recipient renders health care services in a health professional shortage area or an underserved behavioral health area.

(21) "Sponsoring community" means a rural hospital or hospitals as authorized in chapter 70.41 RCW, a rural health care facility or facilities as authorized in chapter 70.175 RCW, or a city or county government or governments.

(22) "Underserved behavioral health area" means a geographic area, population, or facility that has a shortage of health care professionals providing behavioral health services, as determined by the department. [2023 c 442 § 2; 2022 c 276 § 1; 2019 c 302 § 2; 2013 c 19 § 46. Prior: 2011 1st sp.s. c 11 § 204; 2011 c 26 § 1; 1991 c 332 § 15; 1989 1st ex.s. c 9 § 717. Formerly RCW 18.150.020.]

***Reviser's note:** The reference to "nursing care quality assurance commission" was changed to "board of nursing" by 2023 c 123.

Intent—2023 c 442: "Forensic pathologists are medically trained doctors who perform autopsies. For the last decade, there has been a persistent shortage in forensic pathologists both locally and nationally and this problem has only grown worse. It is the intent of the legislature to incentivize people to enter the profession by alleviating the student loan burden for medically trained forensic pathologists." [2023 c 442 § 1.]

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.115.030 Washington health corps—Programs established—Duties of office. The Washington health corps is the state's initiative to encourage health care professionals to work in underserved communities. In exchange for service, the health care professional receives assistance with higher education, in the form of loan repayment or a conditional scholarship. The Washington health corps consists of the health professional loan repayment and scholarship program, the behavioral health loan repayment program, the

nurse educator loan repayment program, and the forensic pathology loan repayment program.

(1) The health professional loan repayment and scholarship program is established for credentialed health professionals and residents serving in health professional shortage areas.

(2) The behavioral health loan repayment program is established for credentialed health professionals serving in underserved behavioral health areas.

(3) The nurse educator loan repayment program is established for nurse educators teaching for approved nursing programs.

(4) The forensic pathology loan repayment program is established for board-certified forensic pathologists providing services for counties in identified shortage areas.

(5) The office is the administrator of the programs under the Washington health corps. In administering the programs, the office shall:

(a)(i) Select credentialed health care professionals and residents to participate in the loan repayment portion and in the scholarship portion of the health professional loan repayment and scholarship program;

(ii) Select credentialed health care participants to participate in the behavioral health loan repayment program;

(iii) Select nurse educators to participate in the nurse educator loan repayment program; and

(iv) Select board-certified forensic pathologists to participate in the forensic pathology loan repayment program;

(b) Adopt rules and develop guidelines to administer the programs;

(c) Collect and manage repayments from participants who do not meet their service obligations under this chapter;

(d) Publicize the program, particularly to maximize participation among individuals in shortage and underserved areas and among populations expected to experience the greatest growth in the workforce;

(e) Solicit and accept grants and donations from public and private sources for the programs;

(f) Use a competitive procurement to contract with a fund-raiser to solicit and accept grants and donations from private sources for the programs. The fund-raiser shall be paid on a contingency fee basis on a sliding scale but must not exceed 15 percent of the total amount raised for the programs each year. The fund-raiser shall not be a registered state lobbyist; and

(g) Develop criteria for a contract for service in lieu of the service obligation where appropriate, that may be a combination of service and payment. [2023 c 442 § 3; 2022 c 276 § 2; 2019 c 302 § 3; 2013 c 298 § 1; 2011 1st sp.s. c 11 § 205; 1991 c 332 § 16; 1989 1st ex.s. c 9 § 718. Formerly RCW 18.150.030.]

Intent—2023 c 442: See note following RCW 28B.115.020.

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.115.040 Technical assistance for rural communities and counties—Marketing plan. (1) The department may provide technical assistance to rural communities desiring to become sponsoring communities for the purposes of identification of prospective students for the health professional loan repayment and scholarship program, assisting prospective students to apply to an eligible education and training program, making formal agreements with prospective students to provide credentialed health care services in the community, forming agreements between rural communities in a service area to share credentialed health care professionals, and fulfilling any matching requirements.

(2) The department, in consultation with the council and other pertinent stakeholders, may provide technical assistance to counties desiring to become sponsoring communities for the purposes of identification of prospective students for the forensic pathology loan repayment program, assisting prospective students to apply to an eligible education and training program, making formal agreements with prospective students to provide services as a board-certified forensic pathologist, forming agreements between rural and underserved counties in a service area to share credentialed forensic pathology professionals, and fulfilling any matching requirements.

(3) From the amounts appropriated to the department, the department shall enter into a contract for a two-year marketing plan with the Washington association of coroners and medical examiners for the sole purpose of marketing Washington state to potential board-certified forensic pathologists. The marketing plan must include, but is not limited to, a focus on rural and underserved counties. Payment for administrative expenses may not exceed two percent of the appropriated funds. [2023 c 442 § 4; 2019 c 302 § 4; 1991 c 332 § 17.]

Intent—2023 c 442: See note following RCW 28B.115.020.

RCW 28B.115.050 Planning committee—Criteria for selecting participants. The office shall establish a planning committee to assist it in developing criteria for the selection of participants for the Washington health corps program. The office shall include on the planning committee representatives of the department, the department of social and health services, appropriate representatives from health care facilities, provider groups, consumers, the state board for community and technical colleges, the superintendent of public instruction, institutions of higher education, representatives from the behavioral health and public health fields, the council, and other appropriate public and private agencies and organizations. The criteria may require that some of the participants meet the definition of financial need under RCW 28B.92.030. [2023 c 442 § 5; 2022 c 276 § 3; 2019 c 302 § 5; 2011 1st sp.s. c 11 § 206; 2004 c 275 § 70; 1991 c 332 § 18; 1989 1st ex.s. c 9 § 719. Formerly RCW 18.150.040.]

Intent—2023 c 442: See note following RCW 28B.115.020.

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Part headings not law—2004 c 275: See note following RCW 28B.76.090.

RCW 28B.115.070 Eligible credentialed health care professions—Health professional shortage areas—Specific profession selection criteria. (1) After June 1, 1992, the department, in consultation with the office and the department of social and health services, shall:

(a) Determine eligible credentialed health care professions for the purposes of the health professional loan repayment and scholarship program and the behavioral health loan repayment program authorized by this chapter. Eligibility shall be based upon an assessment that determines that there is a shortage or insufficient availability of a credentialed profession so as to jeopardize patient care and pose a threat to the public health and safety. The department shall consider the relative degree of shortages among professions when determining eligibility. The department may add or remove professions from eligibility based upon the determination that a profession is no longer in shortage. Should a profession no longer be eligible, participants or eligible students who have received scholarships shall be eligible to continue to receive scholarships or loan repayments until they are no longer eligible or until their service obligation has been completed;

(b) Determine health professional shortage areas for each of the eligible credentialed health care professions; and

(c) Determine underserved behavioral health areas for each of the eligible credentialed health care professions.

(2) The office, in consultation with the department, shall determine selection criteria for nurse educators and approved nursing programs.

(3) The office, in consultation with the department and the council, shall determine selection criteria for board-certified forensic pathologists.

(4) For the 2023-2025 fiscal biennium, consideration for eligibility for loan repayment shall also be given to chiropractors and psychiatric mental health nurse practitioners. [2023 c 475 § 925; 2023 c 442 § 6; 2022 c 276 § 4; 2021 c 334 § 962. Prior: 2019 c 415 § 954; 2019 c 406 § 72; 2019 c 302 § 6; 2017 3rd sp.s. c 1 § 958; 2015 3rd sp.s. c 4 § 947; 2011 1st sp.s. c 11 § 207; 2003 c 278 § 3; 1991 c 332 § 20.]

Reviser's note: This section was amended by 2023 c 442 § 6 and by 2023 c 475 § 925, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2023 c 475: See note following RCW 16.76.030.

Intent—2023 c 442: See note following RCW 28B.115.020.

Conflict with federal requirements—Effective date—2021 c 334: See notes following RCW 43.79.555.

Effective date—2019 c 415: See note following RCW 28B.20.476.

Findings—Intent—2019 c 406: See note following RCW 43.79.195.

Findings—Short title—2019 c 406: See notes following RCW 28B.92.200.

Findings—2019 c 406: See note following RCW 28B.94.020.

Findings—Intent—2019 c 406: See note following RCW 28C.30.050.

Findings—Intent—2019 c 406: See note following RCW 43.216.135.

Effective date—2017 3rd sp.s. c 1: See note following RCW 43.41.455.

Effective dates—2015 3rd sp.s. c 4: See note following RCW 28B.15.069.

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Findings—2003 c 278: See note following RCW 28C.18.120.

RCW 28B.115.080 Annual award amount—Scholarship preferences—Required service obligations—Criteria for forensic pathologists. (1) After June 1, 1992, the office, in consultation with the department and the department of social and health services, shall:

(a) Establish the annual award amount for each credentialed health care profession which shall be based upon an assessment of reasonable annual eligible expenses involved in training and education for each credentialed health care profession for both the health professional loan repayment and scholarship program and the behavioral health loan repayment program. The annual award amount may be established at a level less than annual eligible expenses. The annual award amount shall be established by the office for each eligible health profession. The awards shall not be paid for more than a maximum of five years per individual;

(b) Determine any scholarship awards for prospective physicians in such a manner to require the recipients declare an interest in serving in rural areas of the state of Washington. Preference for scholarships shall be given to students who reside in a rural physician shortage area or a nonshortage rural area of the state prior to admission to the eligible education and training program in medicine. Highest preference shall be given to students seeking admission who are recommended by sponsoring communities and who declare the intent of serving as a physician in a rural area. The office may require the sponsoring community located in a nonshortage rural area to financially contribute to the eligible expenses of a medical student if the student will serve in the nonshortage rural area;

(c) Establish the required service obligation for each credentialed health care profession, which shall be no less than three years or no more than five years, for the health professional loan repayment and scholarship program and the behavioral health loan

repayment program. The required service obligation may be based upon the amount of the scholarship or loan repayment award such that higher awards involve longer service obligations on behalf of the participant;

(d) Establish the annual award amount and the required service obligation for nurse educators participating in the nurse educator loan repayment program. The annual award amount shall be based upon an assessment of reasonable annual eligible expenses involved in training and education. The awards shall not be paid for more than a maximum of five years per individual. The required service obligation shall be no less than three years or no more than five years. The required service obligation may be based upon the amount of the loan repayment award such that higher awards involve longer service obligations on behalf of the participant;

(e) Determine eligible education and training programs for purposes of the scholarship portion of the health professional loan repayment and scholarship program; and

(f) Honor loan repayment and scholarship contract terms negotiated between the office and participants prior to May 21, 1991, concerning loan repayment and scholarship award amounts and service obligations authorized under this chapter or chapter 70.180 RCW.

(2) The department and the council, with the office, shall establish the annual loan repayment amount for each eligible board-certified forensic pathologist, based upon an assessment of reasonable eligible expenses involved in training and education up to \$25,000 annually. The awards may not be paid for more than a total of four years per participant. The required service obligation must be four years. The annual award amount shall be established by the office. [2023 c 442 § 7; 2022 c 276 § 5; 2019 c 302 § 7; 2011 1st sp.s. c 11 § 208; 1993 c 492 § 271; 1991 c 332 § 21.]

Intent—2023 c 442: See note following RCW 28B.115.020.

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Finding—1993 c 492: "The legislature finds that the successful implementation of health care reform will depend on a sufficient supply of primary health care providers throughout the state. Many rural and medically underserved urban areas lack primary health care providers and because of this, basic health care services are limited or unavailable to populations living in these areas. The legislature has in recent years initiated new programs to address these provider shortages but funding has been insufficient and additional specific provider shortages remain." [1993 c 492 § 269.]

Findings—Intent—1993 c 492: See notes following RCW 43.20.050.

Short title—Savings—Reservation of legislative power—Effective dates—1993 c 492: See RCW 43.72.910 through 43.72.915.

RCW 28B.115.090 Loan repayment and scholarship awards. (1) The office may grant loan repayment and scholarship awards to eligible

participants from the funds appropriated to the Washington health corps program. Participants are ineligible to receive loan repayment under the Washington health corps program if they have received a scholarship from programs authorized under this chapter or chapter 70.180 RCW or are ineligible to receive a scholarship if they have received loan repayment authorized under this chapter.

(2) Funds appropriated for the health professional loan repayment and scholarship program, including reasonable administrative costs, may be used by the office for the purposes of loan repayments or scholarships. The office shall annually establish the total amount of funding to be awarded for loan repayments and scholarships and such allocations shall be established based upon the best utilization of funding for that year.

(3) One portion of the funding appropriated for the health professional loan repayment and scholarship program shall be used by the office as a recruitment incentive for communities participating in the community-based recruitment and retention program as authorized by chapter 70.185 RCW; one portion of the funding shall be used by the office as a recruitment incentive for recruitment activities in state-operated institutions, county public health departments and districts, county human service agencies, federal and state contracted community health clinics, and other health care facilities, such as rural hospitals that have been identified by the department, as providing substantial amounts of charity care or publicly subsidized health care; one portion of the funding shall be used by the office for all other awards. The office shall determine the amount of total funding to be distributed between the three portions. [2022 c 276 § 6; 2019 c 302 § 8; 2011 1st sp.s. c 11 § 209; 2003 c 278 § 4; 1991 c 332 § 22; 1989 1st ex.s. c 9 § 720. Formerly RCW 18.150.050.]

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Findings—2003 c 278: See note following RCW 28C.18.120.

RCW 28B.115.100 Discrimination by participants prohibited—Violation. In providing health care services the participant shall not discriminate against a person on the basis of the person's ability to pay for such services or because payment for the health care services provided to such persons will be made under the insurance program established under part A or B of Title XVIII of the federal social security act or under a state plan for medical assistance including Title XIX of the federal social security act or under the state medical assistance program authorized by chapter 74.09 RCW and agrees to accept assignment under section 18.42(b)(3)(B)(ii) of the federal social security act for all services for which payment may be made under part B of Title XVIII of the federal social security act and enters into an appropriate agreement with the department of social and health services for medical assistance under Title XIX of the federal social security act to provide services to individuals entitled to medical assistance under the plan and enters into appropriate agreements with the department of social and health services for medical care services under chapter 74.09 RCW.

Participants found by the office or the department in violation of this section shall be declared ineligible for receiving assistance under the programs authorized by this chapter. [2019 c 302 § 9; 1991 c 332 § 23.]

RCW 28B.115.110 Participant obligation—Repayment obligation—Appeals from determinations. Participants in the Washington health corps who are awarded loan repayments shall receive payment for the purpose of repaying educational loans secured while attending a program of health professional training which led to a credential as a credentialed health professional in the state of Washington.

(1) Participants shall agree to meet the required service obligation.

(2) Repayment shall be limited to eligible educational and living expenses as determined by the office and shall include principal and interest.

(3) Loans from both government and private sources may be repaid by the program. Participants shall agree to allow the office access to loan records and to acquire information from lenders necessary to verify eligibility and to determine payments. Loans may not be renegotiated with lenders to accelerate repayment.

(4) Repayment of loans established pursuant to the Washington health corps shall begin no later than 90 days after the individual has become a participant. Payments shall be made quarterly, or more frequently if deemed appropriate by the office, to the participant until the loan is repaid or the participant becomes ineligible due to discontinued service in a health professional shortage area, an underserved behavioral health area, as a nurse educator at an approved nursing program after the required service obligation when eligibility discontinues, or as a board-certified forensic pathologist in an identified shortage area, whichever comes first.

(5) Should the participant discontinue service in a health professional shortage area, an underserved behavioral health area, as a nurse educator at an approved nursing program, or as a board-certified forensic pathologist in an identified shortage area, payments against the loans of the participants shall cease to be effective on the date that the participant discontinues service.

(6) Except for circumstances beyond their control, participants who serve less than the required service obligation shall be obligated to repay to the program an amount equal to the unsatisfied portion of the service obligation, or the total amount paid by the program on their behalf, whichever is less. This amount is due and payable immediately. Participants who are unable to pay the full amount due shall enter into a payment arrangement with the office, including an arrangement for payment of interest. The maximum period for repayment is 10 years. The office shall determine the applicability of this subsection. The interest rate shall be determined by the office and be established by rule.

(7) The office is responsible for the collection of payments made on behalf of participants from the participants who discontinue service before completion of the required service obligation. The office shall exercise due diligence in such collection, maintaining all necessary records to ensure that the maximum amount of payment made on behalf of the participant is recovered. Collection under this

section shall be pursued using the full extent of the law, including wage garnishment if necessary.

(8) The office shall not be held responsible for any outstanding payments on principal and interest to any lenders once a participant's eligibility expires.

(9) The office shall temporarily or, in special circumstances, permanently defer the requirements of this section for eligible students as defined in RCW 28B.10.017.

(10) The office shall establish an appeal process by rule. [2023 c 442 § 8; 2022 c 276 § 7; 2019 c 302 § 10; 2011 1st sp.s. c 11 § 210; 2011 c 26 § 2. Prior: 1991 c 332 § 24; 1991 c 164 § 8; 1989 1st ex.s. c 9 § 721. Formerly RCW 18.150.060.]

Intent—2023 c 442: See note following RCW 28B.115.020.

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.115.120 Participant obligation—Scholarships—Wraparound services—Appeals. (1) Participants in the Washington health corps who are awarded scholarships incur an obligation to repay the scholarship, with penalty and interest, unless they serve the required service obligation in a health professional shortage area in the state of Washington.

(2) The interest rate, determined by the office and established by rule, may not exceed two percent. Participants who fail to complete the service obligation shall incur an equalization fee based on the remaining unforgiven balance. The equalization fee shall be added to the remaining balance and repaid by the participant.

(3) The period for repayment shall coincide with the required service obligation, with payments of principal and interest commencing no later than six months from the date the participant completes or discontinues the course of study or completes or discontinues the required postgraduate training. Provisions for deferral of payment shall be determined by the office.

(4) The entire principal and interest of each payment shall be forgiven for each payment period in which the participant serves in a health professional shortage area until the entire repayment obligation is satisfied or the borrower ceases to so serve. Should the participant cease to serve in a health professional shortage area of this state before the participant's repayment obligation is completed, payment of the unsatisfied portion of the principal and interest is due and payable immediately.

(5) Participants who are unable to pay the full amount due shall enter into a payment arrangement with the office for repayment including interest not to exceed two percent. The office shall set the maximum period for repayment by rule.

(6) The office is responsible for collection of repayments made under this section and shall exercise due diligence in such collection, maintaining all necessary records to ensure that maximum repayments are made. Collection and servicing of repayments under this section shall be pursued using the full extent of the law, including wage garnishment if necessary, and shall be performed by entities

approved for such servicing by the Washington student loan guaranty association or its successor agency. The office is responsible to forgive all or parts of such repayments under the criteria established in this section and shall maintain all necessary records of forgiven payments.

(7) Receipts from the payment of principal or interest or any other subsidies to which the office as administrator is entitled, which are paid by or on behalf of participants under this section, shall be deposited with the office and shall be used to cover the costs of granting the scholarships, maintaining necessary records, and making collections under subsection (6) of this section. The office shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to grant scholarships to eligible students.

(8) Sponsoring communities who financially contribute to the eligible financial expenses of eligible medical students may enter into agreements with the student to require repayment should the student not serve the required service obligation in the community as a primary care physician. The office may develop criteria for the content of such agreements with respect to reasonable provisions and obligations between communities and eligible students.

(9) To the extent reasonably practicable, the office shall reduce, or help to reduce, barriers that threaten a participant's ability to complete their service obligations under this chapter by offering wraparound services including, for example, navigation support for public benefits, financial coaching, and access to food, housing, and child care resources and referrals.

(10) The office shall make exceptions to the conditions for participation and repayment obligations should substantial circumstances beyond the control of individual participants warrant such exceptions. The office shall establish an appeal process by rule. Substantial circumstances include, but are not limited to:

(a) The participant is a service member of the armed forces, including the national guard and armed forces reserves, or is a spouse or dependent of a service member, who receives permanent change of station or deployment orders to move out-of-state or to a location that would create a hardship to complete the participant's service obligations under this chapter. The participant shall provide the office with a copy of the official military orders or a signed letter from the service member's commanding officer confirming change of station orders;

(b) The participant is experiencing unforeseen emergencies or hardships that substantially affect the participant's ability to complete the participant's service obligations under this chapter. [2023 c 159 § 1; 2019 c 302 § 11; 2011 1st sp.s. c 11 § 211; 2011 c 26 § 3; 1993 c 423 § 2; 1991 c 332 § 25.]

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.115.130 Health professional loan repayment and scholarship program fund. (1) Any funds appropriated by the legislature for the health professional loan repayment and scholarship

program, the nurse educator loan repayment program, the forensic pathology loan repayment program, or any other public or private funds intended for loan repayments or scholarships under these programs shall be placed in the account created by this section.

(2) The health professional loan repayment and scholarship program fund is created in custody of the state treasurer. All receipts from the program shall be deposited into the fund. Only the office, or its designee, may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures. [2023 c 442 § 9; 2022 c 276 § 8; 2011 1st sp.s. c 11 § 212; 1991 c 332 § 28.]

Intent—2023 c 442: See note following RCW 28B.115.020.

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.115.135 Behavioral health loan repayment program account. (1) Any funds appropriated by the legislature for the behavioral health loan repayment program, or any other public or private funds intended for loan repayments under this program, must be placed in the account created by this section.

(2) The behavioral health loan repayment program account is created in the custody of the state treasurer. All receipts from the program must be deposited into the account. Expenditures from the account may be used only for the behavioral health loan repayment program. Only the office, or its designee, may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2019 c 302 § 12.]

RCW 28B.115.140 Transfer of program administration. After consulting with the office, the governor may transfer the administration of this program to another agency with an appropriate mission. [2011 1st sp.s. c 11 § 213; 1989 1st ex.s. c 9 § 722. Formerly RCW 18.150.070.]

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.115.150 Osteopathic or allopathic medical student clinical rotations. Any osteopathic or allopathic medical school receiving state funds or authorized by the *higher education coordinating board may not prohibit a hospital or physician from entering into an agreement to provide student clinical rotations to qualified osteopathic or allopathic medical students. [2011 c 150 § 2.]

***Reviser's note:** The higher education coordinating board was abolished by 2011 1st sp.s. c 11 § 301, effective July 1, 2012. The

office of student financial assistance replaced the higher education coordinating board for higher education financial aid responsibilities pursuant to 2011 1st sp.s. c 11 § 102, effective July 1, 2012.

Findings—2011 c 150: "The legislature finds that a severe shortage of primary health care providers exists in Washington, particularly in rural and underserved areas of the state. The legislature further finds that an over reliance on specialty health care at the expense of primary care results in a health care system that is less efficient. The legislature further finds that institutions of higher education must produce more primary care providers. The legislature further finds that the efficient use of clinical sites for rotations will expand the supply of primary care providers. The legislature further finds that expanding residency programs in community health centers will increase residents' exposure to primary care practice." [2011 c 150 § 1.]

RCW 28B.115.155 Osteopathic or allopathic medical student clinical rotations—Foreign medical schools. A foreign osteopathic or allopathic medical school may not prohibit a hospital or physician from entering into an agreement to provide student clinical rotations to qualified osteopathic or allopathic medical students. [2011 c 150 § 3.]

Findings—2011 c 150: See note following RCW 28B.115.150.

RCW 28B.115.165 Health professional loan repayment and scholarship program fund—Priority for applications that reflect demographically underrepresented populations. The office and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship program fund for conditional loan repayment contracts for applications that reflect demographically underrepresented populations. Loan repayment contracts may include services provided in the community or at a designated site. [2021 c 170 § 2.]

Findings—Intent—2021 c 170: See note following RCW 71.24.887.

RCW 28B.115.900 Effective date—1989 1st ex.s. c 9. See RCW 43.70.910.

RCW 28B.115.902 Application to scope of chapter—Captions not law—1991 c 332. See notes following RCW 18.130.010.