

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 10—Office of the Director
Chapter 3 – General and Family Physician Loan and Training Programs

PROPOSED RULE

19 CSR 10-3.040 Rural Primary Care Physician Grant Program.

PURPOSE: This rule establishes guidelines for implementing the Rural Primary Care Physician Grant Program.

- (1) For the purposes of this regulation, the following definitions shall be used in interpretation and enforcement of this rule:
 - (A) Awardee means a primary care physician who applied to and was selected by the Department to participate in the Rural Primary Care Physician Program.
 - (B) Department means the Missouri Department of Health and Senior Services.
 - (C) Director means the director of the Missouri Department of Health and Senior Services.
 - (D) Health Professional Shortage Area (HPSA) is defined as a geographic area, population group, or facility designated by the United States Department of Health and Human Services' Health Resources and Services Administration (HRSA) with a shortage of primary care, dental health, or mental health providers and services.
 - (E) Missouri rural county is defined as a county, in the State of Missouri, with a population of less than thirty-five thousand (35,000) inhabitants.
 - (F) Primary Care HPSA is defined as the shortage designation in primary care physicians and includes all the primary care specialties in which a primary care physician could be licensed, to determine the primary care HPSA score.
 - (G) Primary Care HPSA score ranges from 1 to 25 and demonstrates the shortage level of providers providing primary care services in the HPSA, the higher the score the greater the need.
 - (H) Primary care physician is defined as a physician licensed and registered pursuant to chapter 334, RSMo and engaged in general or family practice, internal medicine, pediatrics, or obstetrics and gynecology (OB/GYN) as his/her primary specialty.
 - (I) Primary care specialty is defined as general medicine, family medicine, internal medicine, pediatrics, or OB/GYN as his/her specialty.
 - (J) Sliding Fee Scale or Schedule is defined as fees for services that are adjusted depending on an individual's income; a payment model providers can use to care for patients who cannot afford care otherwise.

(2) Primary care physicians wanting to be considered for an award under the Rural Primary Care Physician Grant Program must:

- (A) Begin providing primary care services after July 1, 2022, in a Missouri rural county, in which the applicant has not previously practiced;
- (B) Reside in the same Missouri rural county in which services will be provided;
- (C) Not have previously received an award of funds under the rural primary care physician grant program; and
- (D) Submit an application package to the Department in accordance with this rule.

(3) Bids will be accepted February 1 through March 15 each year.

(4) Applicants must apply by responding to the Rural Primary Care Physicians Grant Program Invitation for Bid posted annually on February 1 at <https://missouribuys.mo.gov/>. Applicants shall follow all applicant instructions regarding format and contents of the application, as described in the Invitation for Bid.

(5) In addition to other information required, as described in the Invitation for Bid, Applicants must include the following information in their response to the Invitation for Bid:

(A) Demographical information:

1. Applicant's full name;
2. Primary care specialty, including identifying Doctor of Allopathic Medicine or Doctor of Osteopathic Medicine, as a General, Family Medicine, Internal Medicine, Pediatric, or OB/GYN;
3. National Provider Number (NPI);
4. Medicaid Provider Number;
5. Medicare Provider Number;
6. Employment title;
7. Home address;
8. Home and work email addresses;
9. Employer name;
10. Proposed practicing site location, name, address, and county;
11. Contact phone numbers, including personal, home, and work; and
12. The following information which is used for reporting purposes only and does not affect the determination of awards and will not be used for consideration of eligibility:
 - A. Substance Use Disorder Services provided (yes/no); and
 - B. Telehealth Services provided (yes/no).

(B) A detailed written description of the proposed practice site, including the facility in which the applicant will be working and the health care services currently provided at that site.

(C) If the applicant will utilize the grant funds to relocate or open a solo or private practice in a rural county, identify the expected location and employment title.

(D) In the event that the applicant is not currently employed or practicing in the rural county, the applicant shall identify the intended rural county and employment information, including practice location, anticipated employment title, and start date projected to begin practice.

(E) Official notification from the Missouri Board of Registration for the Healing Arts that the applicant is licensed in good standing.

(F) Copy of the applicant's Missouri professional license.

(G) Proof of malpractice insurance and a written statement from the applicant's malpractice insurance carrier setting forth any claims that have been made against the applicant and the disposition of those claims.

(H) A copy of the applicant's job description where services will be provided.

(I) A copy of the applicant's executed employment contract for the proposed practice site for a period of no less than two (2) years with the ability to renew up to at least five (5) years, or if self-employed an attestation agreeing to practice for at least five (5) years in the proposed practice site.

(J) Proof that the location where the physician will practice medicine is in a designated HPSA. The applicant shall provide a print out of HPSA designations for the service area from <http://hpsafind.hrsa.gov/HPSASearch.aspx>. If no Missouri HPSA designations exist for the physician's service area, the applicant shall contact the department to identify other documentation of services to underserved patients.

(K) Any sliding scale or schedule utilized by the practice site.

(6) In addition to other factors as described in the Invitation for Bid, the Primary Care HPSA will be utilized, for the purposes of this Rural Primary Care Physician Grant Program, to determine the primary care needs in the Missouri rural counties. The department will use the following criteria to prioritize selection for participation in the Rural Physician Grant Program:

(A) Each primary care specialty will be analyzed in each of the applicants' practice site locations to determine the highest need of each specialty within the primary care designation in each of the applicants' practicing rural counties.

(1) The department will determine the ratio of each primary care specialty to the population to determine the most needed type of primary care specialty in the specific rural county. The department will use the HRSA data to determine if a county has sufficient number of general medicine, family medicine, internal medicine, pediatrics, or OB/GYN physicians in the specific county in which the applicants specify in their applications. This will allow the department to choose the type of primary care specialty most needed in that specific HPSA area.

(A) Priority will be given to an applicant whose practicing county has no physicians of their primary care specialty with the highest HPSA score.

(B) If there are multiple applicants with no physicians of their primary care specialty in their practicing county and the county HPSA scores are equal, the department shall prioritize based on the highest county population.

(2) If there are multiple applicants with one or more physicians of their primary care specialty in their practicing county, priority will be given to the applicant with the highest HPSA score.

(A) If there are multiple applicants with one or more physicians of their primary care specialty in their practicing county and the county HPSA scores are equal, the department shall prioritize based on the highest county population.

(B) Priority will be given to the applicant with the lowest ratio of the primary care specialty to the highest population in that county.

(3) In the event that all applicants are equally demonstrating the same need in their practicing county, for their specialty, and the population being served including HPSA score, the department will conduct a formal drawing by writing each tie applicant's name on a piece of paper and will select at random one of the tied applicant's name for the award. The department will have witnesses present for the formal drawing.

(7) The department may, subject to appropriated funds, contract with awardee(s), to provide grant award(s) of up to two hundred thousand dollars (\$200,000). The awardee(s) shall agree to reside and practice as a primary care physician in a Missouri rural county for a continuous five (5) year period and shall provide primary health care services to underserved populations in a Missouri HPSA.

(8) Participation in the Rural Physician Grant Program shall consist of payments directly to an awardee, under a written contract, in the form of direct deposit. Payment will be deposited in the awardee's bank account upon the department's final approval of the written contract.

(9) As described in the Invitation for Bid, the contract shall include information regarding the following:

- (A) Awardee physician's information;
- (B) Contract terms, including the length of contract and required deliverables;
- (C) Verification, waiver, suspension, cancellation, and termination;
- (D) Breach and penalties; and
- (E) Extension.

(10) The contract shall detail that the awardee earns forgiveness on their grant award through a service obligation and the dates of said service obligation shall be prominently shown on the contract.

(11) If the Awardee violates the written contract and is in breach of any of the requirements outlined in the Invitation for Bid, the department shall be entitled to recover from the Awardee damages as outlined in the Invitation for Bid.

AUTHORITY: Section 192.006 RSMo. Proposed rule filed August 1, 2023, effective [date]/

PUBLIC COST: This proposed rule is estimated to cost state agencies or political subdivisions at least \$216,125 in the first year period and \$227,882 to \$228,124 annually thereafter.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred (\$500) dollars in the time aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of Rural Health and Primary Care, Missouri Department of Health and Senior Services, P.O. Box 570, Jefferson City, MO 65102, or via email at ORHPCinfo@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*