DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part**: Podiatric Scholarship and Residency Programs Code

2) **Code Citation**: 77 Ill. Adm. Code 593

3) **Section Numbers**: Proposed Action:

   - 593.10 Amendment
   - 593.20 Amendment
   - 593.200 Amendment
   - 593.240 Amendment

4) **Statutory Authority**: Podiatry Scholarship and Residency Act [110 ILCS 978]

5) **A Complete Description of the Subjects and Issues Involved**: 

   This rulemaking expands the podiatric scholarship and residency program to increase the number of years that a student is eligible to receive the scholarship from two to the full four years that it takes to complete podiatric medical school. The current rules provide scholarship recipients with full tuition and mandatory fees. This rulemaking will provide for the award of a monthly living stipend to the scholarship recipient(s). The rulemaking also adds definitions of “rural” and “urban” and updates referenced materials.

6) **Published studies or reports, and sources of underlying data, used to compose this rulemaking**: None

7) **Will this rulemaking replace any emergency rulemaking currently in effect?**: No

8) **Does this rulemaking contain an automatic repeal date?**: No

9) **Does this rulemaking contain incorporations by reference?**: No

10) **Are there any other proposed rulemakings pending on this Part?**: No

11) **Statement of Statewide Policy Objectives**: This rulemaking will not create or expand a State Mandate.

12) **Time, Place and Manner in which interested persons may comment on this proposed rulemaking**: 


DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the Illinois Register to:

Susan Meister
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th floor
Springfield, Illinois 62761
217/782-2043
e-mail: rules@idph.state.il.us

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: January 2007

The full text of the Proposed Amendments begins on the next page:
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER g: GRANTS TO DENTAL AND MEDICAL STUDENTS

PART 593
PODIATRIC SCHOLARSHIP AND RESIDENCY PROGRAMS CODE

SUBPART A: GENERAL PROVISIONS

Section
593.10 Definitions
593.20 Referenced Incorporated Materials
593.30 Administrative Hearings

SUBPART B: GRANTS TO PODIATRIC PRACTICE RESIDENCY PROGRAMS

Section
593.100 Eligibility for Grants
593.110 Limitation on Use of Grant Funds
593.120 Project Requirements
593.130 Application for Grants
593.140 Selection Criteria

SUBPART C: PODIATRIC MEDICAL STUDENT SCHOLARSHIPS

Section
593.200 Limitation on Use of Scholarship Funds
593.210 Eligibility for Application
593.220 Criteria for Selecting Scholarship Recipients
593.230 Terms of Performance
593.240 Scholarship Repayments

AUTHORITY: Podiatry Scholarship and Residency Act [110 ILCS 978]

SOURCE: Adopted at 17 Ill. Reg. 11987, effective July 20, 1994; amended at 31 Ill. Reg._______, effective ____________.

SUBPART A: GENERAL PROVISIONS

Section 593.10 Definitions
“Act” means the Podiatric Scholarship and Residency Act [110 ILCS 978]

“Department” means the Illinois Department of Public Health. (Section 10 of the Act)

“Designated Shortage Area” means an area designated by the Director as a physician shortage area, a medically underserved area, or a critical health manpower shortage area as defined by the United States Department of Health and Human Services, or as further defined by the Department to enable it to effectively fulfill the purpose stated in Section of the Act. These areas may include the following:

- an urban or rural area;
- a population; or
- a public or nonprofit private medical facility. (Section 10 of the Act).

“Director” means the Director of the Illinois Department of Public Health. (Section 10 of the Act)

“Eligible Podiatry Student” means a person who meets all of the following qualifications:

He or she is an Illinois resident at the time of application for scholarship under the program established by the Act.

He or she is studying podiatric medicine in a podiatry school located in Illinois.

He or she agrees to practice full-time in a designated shortage area as a primary care physician one year for each year he or she is a scholarship recipient. (Section 10 of the Act)

“Full-time practice” means maintaining office hours for patient care for at least 20 hours per week.

“Medical facility” means a facility for the delivery of Health Services and includes a hospital, State mental health institution, public health center,
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

outpatient medical facility rehabilitation facility, long-term care facility, community mental health center, migrant health center, a community health center, or a State correctional institution. (Section 10 of the Act)

“Minority” means any person or group of persons who are: African-American (a person having origins in any of the black racial groups in Africa); Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race); Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands); or American Indian or Alaskan Native (a person having origins in any of the original peoples of North America).

“Podiatric Practice Residency Program; means a program accredited by the Council of Podiatric Medical Education. Residencies may be primary care or rotating. (Section 10 of the Act)

“Primary Care Physician” means a person licensed to practice podiatric medicine under the Podiatric Medical Act of 1987 [225 ILCS 100]. (Section 10 of the Act)

“Residency matching process” means the matching of podiatric medical students with residency training programs in the student’s selected specialty.

“Residency training” means the years of graduate medical education that which follow podiatric medical school and that which train the new podiatric physician in his or her chosen specialty.

“Rural” means any geographic area not located in a U.S. Bureau of the Census Metropolitan Statistical Area; or a county located within a Metropolitan Statistical Area but having a population of 60,000 or less; or a community located within a Metropolitan Statistical Area but having a population of 2,400 or less or a RUCA Code 4 or above on the Rural-Urban Commuting Area list as defined by the U.S. Department of Agriculture Economic Research Service. The list of Rural-Urban Commuting Area Codes can be found at: http://www.fammed.washington.edu/wwamirhrc/rucas/rucas.html

“Urban” means all territory, population and housing units in urban areas, which include urbanized areas and urban clusters. An urban area generally consists of a large central place and adjacent, densely settled census blocks that together have a
DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

total population of at least 2,500 for urban clusters, or at least 50,000 for urbanized areas. Urban classification cuts across other hierarchies and can be in metropolitan or non-metropolitan areas.

(Source: Amended at 31 Ill. Reg. ______, effective __________)

Section 593.20  **Referenced Incorporated Materials**

The following materials are incorporated or referenced in this Part:

a) Illinois Statutes

1) Podiatric Scholarship and Residency Act [110 ILCS 978]


b) Illinois and Federal Rules:

   Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

c) All incorporations by reference of standards of nationally recognized organizations refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Amended at 31 Ill. Reg. ______, effective __________)

SUBPART C: PODIATRIC MEDICAL STUDENT SCHOLARSHIPS

Section 593.200  **Limitations on Use of Scholarship Funds**

a) Scholarships shall cover the cost of tuition and matriculation fees and provide a monthly living stipend for selected podiatric medical students.

b) Scholarship funds shall be expended by the recipient only while enrolled and in good academic standing at a podiatric medical school.

c) Scholarship funds shall not be awarded for expenses incurred when the student must repeat more than once an academic term or terms, if the repetition is
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

necessary because the student has an academic performance below an acceptable level, as determined by the student’s podiatric medical school.

d) Scholarship funds shall be provided to the recipient’s medical school. All funds for tuition and fees are to be expended only on the podiatric medical student’s behalf. All stipend monies are to be provided directly to the podiatric medical student.

e) Scholarship funds shall not be awarded to any podiatric medical student for more than four academic years.

(Source: Amended at 31 Ill. Reg. _______, effective ____________)

Section 593.240 Scholarship Repayments

a) Upon the Illinois licensure of the scholarship recipient to practice podiatric medicine, the recipient shall provide podiatric primary health care in a designated shortage area of Illinois. The term of this service shall be one year for each academic year he or she is a scholarship recipient.

b) Service as a podiatric physician shall begin no later than 30 days after the licensure of the recipient to practice podiatric medicine. Service shall be deferred by the Department until the recipient completes a podiatric care residency; service shall begin no later than 30 days after completion.

1) Service shall be deferred by the Department until the recipient completes a podiatric care residency; service shall begin no later than 30 days after completion.

2) If the recipient leaves the podiatric residency program prior to completion, service shall begin within 30 days.

c) The recipient’s internship, residency or other advanced clinical training does not qualify as service repayment of the scholarship obligation.

d) Written approval of the Department for a proposed practice location shall be requested and received by the scholarship recipient.

1) Without such approval, time in practice at such a location shall not meet the scholarship recipient’s service obligation.
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

2) The scholarship recipient may request approval for a practice location up to 18 months preceding the time practice at the location is to begin.

3) Approval for a practice location is granted for the duration of the scholarship recipient’s service obligation.

e) The scholarship recipient’s practice shall meet the following requirements:

1) be located in a designated shortage area;

2) be a full-time, office-based practice providing direct patient care; and

3) provide continuous service at the rate of 12 months for each academic year of podiatric medical school supported by the scholarship.

f) Scholarship recipients may relocate to another practice location, or practice in more than one location, if prior written approval is granted by the Department.

g) Scholarship recipients shall enter into a written contract with the Department that describes terms of the service obligation and contains provisions for enforcement of the contract.

h) Scholarship recipients who fail to fulfill their obligation to practice in designated shortage areas shall pay to the Department a sum equal to 3 times the amount of the annual scholarship grant for each year the recipient fails to fulfill that obligation. (Section 30 of the Act)

1) Payment shall be made in equal monthly installments in such amounts so that all sums due shall be paid within a period of time equal to the recipient’s service term, or remaining portion thereof, or as otherwise agreed to by the recipient and the Department.

2) The recipient and Department shall enter into a written contract which describes terms of the repayment and contains provisions for enforcement of the contract.

i) If in the event a scholarship recipient fails to pay monies owed the Department, the Department may refer the matter to the Attorney General or to a collection agency.
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 31 Ill. Reg. _______, effective __________)