1	L.D. 440
2	Date: (Filing No. S-)
3	APPROPRIATIONS AND FINANCIAL AFFAIRS
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	126TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT " " to S.P. 172, L.D. 440, Bill, "An Act To Support Community Health Centers through Tax Credits for Dentists and Primary Care Professionals Practicing in Underserved Areas"
12	Amend the bill by striking out the title and substituting the following:
13 14	'An Act To Create a Tax Credit for Primary Care Professionals Practicing in Underserved Areas'
15 16	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
17	'Sec. 1. 36 MRSA §5219-KK is enacted to read:
18	§5219-KK. Primary care access credit
19 20	1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.
21 22 23	A. "Eligible primary care professional" means a person licensed under Title 32, chapter 31, subchapter 3 or subchapter 4; Title 32, chapter 36, subchapter 4; or Title 32, chapter 48, subchapter 2 and who, on or after January 1, 2013:
24 25 26 27	(1) First begins practicing primary care medicine in the State by joining an existing health care practice in an underserved area or establishing a new health care practice or purchasing an existing health care practice in an underserved area;
28	(2) Agrees to practice full time for at least 5 years in an underserved area;
29 30	(3) Is certified under subsection 3 to be eligible by the Department of Health and Human Services; and
31	(4) Has an unpaid student loan owed to an institution for course work directly related to that person's training in primary care medicine

	COMMITTEE AMENDMENT " " to S.P. 172, L.D. 440
1	B. "Underserved area" means an area in the State that is a health professional
2	shortage area or medically underserved area or that contains a medically underserved
3	population as defined by the federal Department of Health and Human Services,
4	Health Resources and Services Administration.
5 6	2. Credit. For tax years beginning on or after January 1, 2014 but before January 1, 2019, an eligible primary care professional is allowed a credit against the taxes due under
7	this Part as follows.
8	A. The credit may be claimed in the first year that the eligible primary care
9	professional meets the conditions of eligibility for at least 6 months and each of the 4
10	subsequent years or until the student loan of the eligible primary care professional is
11	paid in full, whichever comes first.

- B. The credit may be claimed in an amount equal to the annual payments made on the student loan not to exceed \$6,000 in the first year, \$9,000 in the 2nd year, \$12,000 in the 3rd year, \$15,000 in the 4th year and \$18,000 in the 5th year.
- C. The credit may not reduce the tax due under this Part to less than zero.
- 3. Eligibility limitation; certification. The Department of Health and Human Services shall certify up to 5 eligible primary care professionals each year. The Department of Health and Human Services shall monitor certified primary care professionals to ensure that they continue to be eligible for the credit under this section and shall decertify any primary care professional who ceases to meet the conditions of eligibility. The Department of Health and Human Services shall notify the bureau whenever a primary care professional is certified or decertified. A decertified primary care professional ceases to be eligible for the credit under this section beginning with the tax year during which the primary care professional is decertified.
- **4. Rules.** The Department of Health and Human Services may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
- **5. Annual report.** By January 15, 2016 and annually thereafter, the Department of Health and Human Services and the bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over taxation matters. The report must indicate the number of eligible primary care professionals certified and decertified each year by the Department of Health and Human Services pursuant to this section and the total annual loss of revenue attributable to the credit under subsection 2.
- Sec. 2. Transfer from the Medical Use of Marijuana Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$23,000 by June 30, 2015 from the Medical Use of Marijuana Fund, Other Special Revenue Funds account in the Department of Health and Human Services to the unappropriated surplus of the General Fund.'

39 SUMMARY

This amendment eliminates the provision in the bill that extends the existing dental care access tax credit. It clarifies that in order to be eligible for the primary care access tax credit, the person's unpaid student loan must be owed to an institution for course work

directly related to that person's training in primary care medicine. It adds an area with a medically underserved population to the definition of "underserved area." It creates a graduated schedule for claiming the credit allowing an eligible primary care professional to claim an amount equal to the annual payments made on the professional's student loan not to exceed \$6,000 in the first year, \$9,000 in the 2nd year, \$12,000 in the 3rd year, \$15,000 in the 4th year and \$18,000 in the 5th year.

This amendment also provides that the primary care access credit is available for tax years beginning on or after January 1, 2014 but before January 1, 2019. It requires the Department of Health and Human Services and the Department of Administrative and Financial Services, Maine Revenue Services to submit an annual report to the joint standing committee of the Legislature having jurisdiction over taxation matters beginning on January 1, 2016 indicating the number of eligible primary care professionals certified and decertified each year by the Department of Health and Human Services and the total annual loss of revenue attributable to the primary care access credit. This amendment also adds a \$23,000 transfer from the Medical Use of Marijuana Fund, Other Special Revenue Funds account in the Department of Health and Human Services to the unappropriated surplus of the General Fund no later than June 30, 2015.

FISCAL NOTE REQUIRED

(See attached)