

Title 6. Education

Chapter IV. Division of Higher Education, Department of Education

Subchapter B. Scholarships and Grants

Part 407. Rules Governing the Osteopathic Rural Medical Practice Student Loan and Scholarship Board

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Effective Date: December 1, 2024"

Subpart 1. Generally

6 CAR § 407-101. Definitions.

As used in this part:

(1) "Medically underserved community" means an area in Arkansas that the Osteopathic Rural Medical Practice Student Loan and Scholarship Board determines has unmet needs for medical services due to factors, including without limitation:

(A) The ratio of primary care physicians to population;

(B) The infant mortality rate;

(C) The percentage of:

(i) Population with incomes below the federal poverty level, as it existed on January 1, 2019;

(ii) Resident individuals sixty (60) years of age and older; and

(iii) Physicians sixty (60) years of age and older;

(D) Accessibility within the area to primary care medicine; and

(E) Other relevant criteria the Osteopathic Rural Medical Practice Student Loan and Scholarship Board may deem necessary for a determination of unmet needs for medical services;

(2) "Primary care medicine" means health care provided in one (1) of the

following areas of practice:

- (A) Family medicine;
- (B) General internal medicine;
- (C) General internal medicine and pediatrics;
- (D) General pediatrics;
- (E) General obstetrics and gynecology;
- (F) General surgery;
- (G) Emergency medicine; and
- (H) Geriatrics; and

(3) "Qualified rural community" means an area:

(A) With a population below twenty thousand (20,000) according to the most recent federal census;

(B) That is at least twenty (20) miles from a city or town with a population of more than twenty thousand (20,000) according to the most recent federal census; and

(C) That is reasonably determined by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board to be medically underserved.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-102. Duties and responsibilities of the board.

(a) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall administer the Osteopathic Rural Medical Practice Student Loan and Scholarship Program and the Community Match Rural Physician Recruitment Program and shall consist of six (6) members, including:

(1) One (1) member appointed by the Governor after consultation with each medical school in Arkansas that is not the University of Arkansas for Medical Sciences;

(2) One (1) member appointed by the Governor after consultation with the Arkansas Osteopathic Medical Association, who shall serve as vice chair;

(3) Two (2) physician members appointed by the Governor after consultation

with the Arkansas Osteopathic Medical Association, giving preference to physicians who have received:

- (A) Osteopathic rural medical practice loans;
- (B) Community match loans; or
- (C) Income incentives; and

(4) Two (2) representatives appointed by the Governor after consultation with the Arkansas Hospital Association, Inc.

(b) Members of the board shall:

- (1) Serve a term of three (3) years;
- (2) Not serve more than two (2) consecutive terms; and
- (3) Except as provided under subsection (d) of this section, shall serve without compensation.

(c) The board shall:

- (1) Prescribe forms for, and regulate the submission of, loan applications;
- (2) Determine eligibility of applicants;
- (3) Allow or disallow loan or income incentive applications;
- (4) Contract, increase, decrease, terminate, and otherwise regulate:
 - (A) All loan and income incentive disbursements;
 - (B) Receipts for their repayment; and
 - (C) Convert loans to scholarships or grants, as applicable;
- (5) Manage, operate, and control all funds and property appropriated or otherwise contributed;
- (6) Accept gifts, grants, bequests, or devises and apply them as a part of the loan and scholarship program;
- (7) Sue and be sued as the board; and
- (8) Accept moneys from federal programs that may be used for furtherance of the purposes of this part.

(d) The members of the board may receive expense reimbursement and stipends in accordance with Arkansas Code § 25-16-901 et seq.

(e)(1) The board shall examine all osteopathic rural medical practice loan

applications to determine whether the applicant needs a loan to advance his or her medical education.

(2) To determine whether an applicant needs a loan to advance his or her medical education, the board shall investigate:

- (A) Ability, character, and qualifications of the applicant; and
- (B) Financial standing of the applicant or his or her parents.

(f)(1) The board shall make an annual report to the Governor concerning the activities of the board and shall file a copy of its report with the Legislative Council.

(2) The report shall include:

- (A) The names of the recipients of the loans;
- (B) The amount of each loan;
- (C) An accounting of the funds granted, on hand, and expended for necessary expenses;
- (D) The total amount of funds received during the year from gifts, federal grants, bequests, and devises; and
- (E) The amount of loans which, during the year, become scholarships through compliance with the conditions of the loan contracts.

(3) This report shall include the names and addresses and amount of loans to each person of those recipients who are in default of repayment obligations.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-103. Osteopathic Rural Medical Practice Student Loan and Scholarship Program Administrator.

The Osteopathic Rural Medical Practice Student Loan and Scholarship Program Administrator shall:

- (1) Be employed by the Division of Higher Education;
- (2) Serve as liaison between loan recipients and rural communities by:
 - (A) Working with the communities to:
 - (i) Identify their unique needs;

- (ii) Develop profiles of their ideal candidates; and
 - (iii) Prepare for recruitment visits;
- (B) Assisting medical students and residents to:
 - (i) Identify medically underserved and other rural communities that suit their personal and medical practice needs; and
 - (ii) Meet their contractual obligations;
- (3) Collect and monitor student loan and scholarship program data, including:
 - (A) Demographic data of participants and communities;
 - (B) Service completion rates;
 - (C) Retention rates beyond service completion;
 - (D) Satisfaction of obligated physicians and communities; and
 - (E) Other relevant information;
- (4) Prepare annual program evaluations and present the evaluations to the Osteopathic Rural Medical Practice Student Loan and Scholarship Board;
- (5) Assist with preparation and submission of program reports;
- (6) Attend board meetings in a nonvoting capacity; and
- (7) Perform other functions assigned by the board.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-104. Loan applications.

(a) An individual may apply for a loan through the Scholarship Application Management System, which will then be reviewed by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, if the individual is:

(1) Accepted for admission to, or enrolled in good standing in, studies at an Arkansas medical school that lead to the degree of Doctor of Osteopathic Medicine;

(2)(A) A person of good moral character that has the talent and capacity to profit by medical studies.

(B) The qualified rural community does not have to be determined at the time of application but instead at the completion of residency training;

(3) In need of financial assistance to complete their medical studies through a "medically underserved and rural practice curriculum"; and

(4) A bona fide resident of Arkansas.

(b) A graduate of an accredited osteopathic medical school in the United States may apply for the community match income incentive program so long as the applicant satisfies the criteria set forth in 6 CAR § 407-108.

(c) The osteopathic rural medical practice loans are solely for paying the applicant's tuition, maintenance, educational, and necessary living expenses of his or her dependents while the applicant is enrolled in the program pursuant to this part.

(d) The board may make osteopathic rural medical practice loans to the applicant, subject to the provisions of subsection (h) of this section and 6 CAR § 407-105(c), if the board finds that the applicant:

(1) Is a bona fide resident of Arkansas;

(2) Has been accepted for admission to or is enrolled in good standing in studies that lead to the degree of Doctor of Osteopathic Medicine;

(3) Is enrolled in a medically underserved and rural practice curriculum;

(4) Needs financial assistance to complete his or her medical studies;

(5) Desires to practice medicine in an eligible qualified rural community; and

(6) Has good moral character, talent, and capacity to profit by medical studies.

(e) Subject to the availability of funds, an initial osteopathic rural medical practice loan for one (1) academic year shall:

(1) Be renewable annually for the number of years required to complete studies leading to the Doctor of Osteopathic Medicine degree; or

(2) For additional amounts, not to exceed the maximum amounts specified in subsection (f) of this section, but all subsequent osteopathic rural medical practice loans shall be granted only upon application by recipient and finding by the board that applicant:

(A) Has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;

(B) Is enrolled or participating in a medically underserved and rural

practice curriculum;

(C) Continues to be a resident of Arkansas; and

(D) Continues to warrant financial assistance.

(f) The maximum amount of each osteopathic rural medical practice loan for osteopathic medical students is twelve thousand dollars (\$12,000) per academic year or six thousand dollars (\$6,000) per academic semester, not to exceed sixteen thousand dollars (\$16,000) per academic year or eight thousand dollars (\$8,000) per academic semester, or those costs that are reasonable and necessary for the student's attendance as determined by the board.

(g)(1) The maximum amount of each community match income incentive shall not exceed eighty thousand dollars (\$80,000) or as the board otherwise shall determine payable under 6 CAR § 407-109(b).

(2) The board shall provide fifty percent (50%) of the community match income incentive, and the qualified rural community shall provide the other fifty percent (50%) of the income incentive.

(3) However, if the board does not have sufficient funds to match the community's portion of the income incentive, nothing precludes a qualified rural community from providing the total income incentive amount.

(h)(1) All payments for osteopathic rural practice loans and community match loans shall be made on requisitions signed by the Chair of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board, drawn against the funds held for purposes of this part.

(2) The following funds shall be held in trust and disbursed by the fiscal officers of a medical school in Arkansas that is not the University of Arkansas for Medical Sciences:

(A) State appropriations so designated;

(B) Revolving amounts received from repayment of loans and interest;

and

(C) All funds, property, and income received by the board under its authority to accept and apply gifts, bequests, and devises for the aforesaid purposes.

(3) Funds collected because of a recipient's breach of an osteopathic rural practice loan contract or community match loan contract shall be:

(A) Held in trust for either the use of the Osteopathic Rural Medical Practice Student Loan and Scholarship Program;

(B) The Community Match Rural Physician Recruitment Program;

(C) Or any other use otherwise deemed appropriate by the board in its discretion; and

(D) Disbursed by the fiscal officer of an osteopathic medical school in Arkansas pursuant to this part.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-105. Loan contracts — Obligations and conditions.

(a) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall enter into a loan contract with each osteopathic rural medical practice loan recipient.

(b) Contracts shall be approved by the Attorney General and shall be:

(1) Signed by the Chair of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board;

(2) Countersigned by the Secretary of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board; and

(3) Signed by the applicant.

(c) Each applicant receiving an osteopathic rural medical practice loan granted by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall execute a written loan contract that incorporates the following obligations and conditions:

(1) The recipient shall agree to practice primary care medicine full time in a qualified rural community upon completion of:

(A) Medical internship of one (1) year undertaken immediately following earning a degree of Doctor of Osteopathic Medicine;

(B) Four (4) additional years of medical training beyond the internship if:

(i) The training has been approved in advance by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board; and

(ii) Includes practice experience in a rural community; or

(C)(i) At the request of the loan recipient, the Osteopathic Rural Medical Practice Student Loan and Scholarship Board may approve practice in more than one (1) qualified rural community to meet the obligation to practice full time.

(ii) This requires an Osteopathic Rural Medical Practice Student Loan and Scholarship Board determination that either:

(a) Physician need in rural communities cannot sustain a full-time medical practice; or

(b) Other compelling circumstances exist;

(2) The recipient of a loan shall agree that for each year's loan that he or she shall practice medicine in accordance with subdivision (c)(1) of this section for a whole year; and

(3)(A) For each continuous whole year of medical practice, subject to reasonable leave periods, including without limitation vacation, sick leave, continuing medical education, jury duty, funerals, holidays, or military service, the Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall cancel, by converting to a scholarship grant, the full amount of one (1) year's loan plus accrued interest.

(B) Loans made for subsequent years will be converted in like manner, one (1) year of service for each year of assistance until the loan obligation is retired.

(C) Requests for deferment of payment must be approved by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board on an annual basis, however, allowance is made for involuntary military service.

(d)(1) The recipient of an osteopathic rural medical practice loan or loans shall agree that not engaging in the practice of medicine in accordance with this part may result in suspension of his or her license to practice medicine in this state.

(2) The recipient's medical license may not be suspended unless:

(A) Recipient's contract contained a specific term that loss of license was a

consequence of breach; and

(B) Recipient signed a written acknowledgment that the suspension of license was explained orally as a potential consequence of breaching the contractual provisions.

(3) The suspension may be for a period of years equivalent to the number of years recipient is obligated to practice medicine in a rural area, but has not so practiced, and until the loan with interest together with any civil money penalties, as reduced by each full year of medical practice according to the terms of the loan contract, is paid in full.

(e) Any communication from a medical school in Arkansas that is not the University of Arkansas for Medical Sciences with any state medical licensing board shall include a notation that:

(1) The recipient of an osteopathic rural medical practice loan has a contract with Arkansas to practice medicine in a rural community; and

(2) Breach of contract may result in suspension of recipient's Arkansas medical license.

(f)(1) If any loan recipient does not engage in the practice of medicine in accordance with the terms of this part and recipient's loan contract to have the loan contract recognized as a scholarship, the recipient shall remain obligated to repay the loan or loans received, together with interest at the maximum rate allowed by Arkansas law or the federal discount rate plus five percent (5%) per annum, whichever is the lesser, the interest to accrue from the date each payment of funds was received by the recipient.

(2) Neither interest nor the obligation to repay the principal sums accrued shall accrue during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces.

(3) Repayment of principal with interest shall be due and payable in full at the earliest to occur of the following events:

(A) Failure to remain enrolled in a medically underserved and rural practice curriculum;

(B) Failure to remain in enrollment status continuously to completion of the degree of Doctor of Osteopathic Medicine for any reason other than temporary personal illness;

(C) Failure to complete the internship;

(D)(i) Failure to engage in the full-time practice of medicine while residing in a qualified rural community.

(ii) However, the Osteopathic Rural Medical Practice Student Loan and Scholarship Board may waive the residency requirement on a case-by-case basis; and

(E) Failure to establish a practice as required in this part within six (6) months following either internship or four (4) additional years of medical education that includes practice experience in a rural community.

(4) In the event of the death of the recipient, the entire loan amount that has not been converted to a scholarship grant pursuant to the terms of the loan contract shall be due and payable.

(g) Medical school alternate's contracts shall contain an additional term that breach of the contract may result in civil money penalties in the amount of one hundred percent (100%) of the loan amount if:

(1) An alternate on the waiting list for acceptance to an osteopathic medical school in Arkansas enters into an osteopathic rural medical practice program contract conditioned only upon the applicant's being accepted for admission to the college;

(2) The alternate otherwise meets the requirements of this part; and

(3)(A) The applicant is moved to the top of the waiting list pursuant to 6 CAR § 407-109.

(B) This shall not prohibit the Osteopathic Rural Medical Practice Student Loan and Scholarship Board from considering and entering a negotiated settlement with the loan recipient involving:

(i) The license suspension;

(ii) The amount of the civil money penalty; and

(iii) The terms of repayment of the loan.

(h)(1) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board may amend agreements entered into with any loan recipient at any time prior to full performance of the recipient's contractual obligations.

(2)(A) A loan recipient may apply to an osteopathic medical school in Arkansas for a waiver of the contractual provisions set forth in subsection (d) of this section.

(B) If the osteopathic medical school determines that exigent circumstances warrant a waiver, the loan recipient shall be notified in writing.

(C) The osteopathic medical school in Arkansas shall immediately notify the Arkansas State Medical Board of such a determination.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-106. Dispute resolution.

(a) The following may appeal any decision or action by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board relating to the application for a loan or income incentive or relating to a loan or income incentive granted by the board under the dispute resolution procedure:

(1) Any applicant for a loan or income incentive issued by the board;

(2) Any person who has been granted a loan or has been granted income incentives by the board; or

(3) Any party to an osteopathic rural medical practice or community match loan or income incentive established under this part.

(b) The board shall establish and follow procedures, as required per Arkansas Code § 6-81-1803(b)(1), used by a loan or income incentive recipient, the board, or a qualified rural community, to resolve any dispute arising out of or relating to an osteopathic rural medical practice or community match loan or income incentive contract, including the validity or interpretation of a contract term, contract enforcement or defenses, the occurrence of an event of default or breach, loan repayment, the assessment or imposition of contract damages or civil money penalties, or other related disputes.

(c) The dispute resolution procedure established by the board shall be followed before the initiation of any litigation related to:

- (1) An osteopathic rural medical practice or community match loan; or
- (2) Income incentive contract.

(d) This part does not prohibit informal disposition by:

- (1) Stipulation;
- (2) Settlement; or
- (3) Consent.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-107. Community match contracts — Eligibility.

(a)(1) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall administer the Community Match Rural Physician Recruitment Program.

(2) Interested rural communities may apply to the Osteopathic Rural Medical Practice Student Loan and Scholarship Board to participate in the program as a qualified rural community.

(3) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board shall approve a designated representative of the qualified rural community to assist the Osteopathic Rural Medical Practice Student Loan and Scholarship Board in matters relating to any community match contracts entered into by the Osteopathic Rural Medical Practice Student Loan and Scholarship Board and the qualified rural community.

(b) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board, in conjunction with a qualified rural community, may grant community match income incentives to applicants, each incentive being expressly made subject to 6 CAR § 407-108, if it finds that:

- (1) The applicant is a graduate of:
 - (A) An accredited osteopathic medical school in the United States; or
 - (B) A foreign medical school if the applicant:

(i) Was a resident of Arkansas and citizen of the United States prior to enrollment in foreign medical school; and

(ii) Has been licensed by the Arkansas State Medical Board;

(2) The applicant satisfies one (1) of the following criteria:

(A) Enrollment in a residency or other training program in an area of primary care medicine; or

(B) No more than two (2) years before the date of the application, he or she completed a residency or other training program in an area of primary care medicine;

(3) The applicant desires to practice medicine in the qualified rural community; and

(4) The designated representative approves the applicant.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-108. Community match contracts — Obligations and conditions.

(a)(1) The Osteopathic Rural Medical Practice Student Loan and Scholarship Board and the qualified rural community shall enter a joint community match income incentive contract with the applicant.

(2) The community match contract shall be approved by the Attorney General and signed by the following:

(A) The Chair of the Osteopathic Rural Medical Practice Student Loan and Scholarship Board;

(B) The Secretary of the board;

(C) The designated representative of the qualified rural community; and

(D) The applicant.

(b) Each applicant granted a community match income incentive by the board shall execute a written contract incorporating the following obligations and conditions:

(1)(A) The recipient agrees to practice primary care medicine full time in a

contracting qualified rural community for a period of four (4) years.

(B) The recipient shall receive the community match funds according to a disbursement schedule acceptable to the board, the qualified rural community, and the recipient to the contract.

(C) For each three-month period of full-time medical practice by the recipient, according to the terms of the contract, the board and the qualified rural community shall award one-fourth (1/4) of the income incentive for the year of service;

(2) If any recipient does not begin, or ceases the full-time practice of medicine in breach of contract, or otherwise breaches the contract, the recipient shall pay:

(A) Twenty thousand dollars (\$20,000) for each uncompleted full year of the four-year contract term; and

(B)(i) Any civil money penalties that apply.

(ii) The board may impose civil money penalties of up to fifty percent (50%) of the principal amount of the income incentive under the terms of the contract because of breach; and

(3) Neither interest nor the obligation to repay the principal sums accrued shall accrue during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces.

(c) Subsection (b) of this section does not prohibit the board from considering and entering into a negotiated settlement with the recipient involving the terms of repayment of amounts paid under the terms of the contract.

(d) Contracts may be amended at any time before the income incentive has been paid in full or terms and conditions of the contract are satisfied.

Authority. Arkansas Code § 6-81-1803.

6 CAR § 407-109. Medical school alternates — Rural medical practice loans.

(a)(1) If an alternate on the waiting list for acceptance to an osteopathic medical school in Arkansas demonstrates a willingness to enter into an osteopathic rural medical

practice loan contract and meets the requirements of 6 CAR § 407-104(d), the applicant shall be moved to the top of the waiting list upon entering into an osteopathic rural medical practice student loan contract.

(2) The priority on the waiting list for an alternate who enters into a loan contract shall be determined by the date and time such an alternate enters into the contract.

(b) An osteopathic medical school in Arkansas shall:

(1) Track graduates who were recipients of loans under this part for the length of their contractual obligations; and

(2) Report to the Legislative Council by October 1 of each even-numbered year regarding the compliance of those graduates with the terms of their contracts.

Authority. Arkansas Code § 6-81-1803.