

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 176

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO MEDICAL EDUCATION; AMENDING SECTION 33-3717B, IDAHO CODE, TO RE-
2 VISE PROVISIONS REGARDING SPECIAL GRADUATE AND PROFESSIONAL PROGRAMS;
3 AMENDING SECTION 33-3731, IDAHO CODE, TO REVISE PROVISIONS REGARDING
4 STATE-SUPPORTED MEDICAL STUDENTS; AMENDING CHAPTER 37, TITLE 33, IDAHO
5 CODE, BY THE ADDITION OF A NEW SECTION 33-3732, IDAHO CODE, TO ESTAB-
6 LISH PROVISIONS REGARDING WWAMI PROGRAM TRANSITION AND MEDICAL EDUCA-
7 TION PROGRAM DESIGNATIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN
8 EFFECTIVE DATE.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 33-3717B, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 33-3717B. RESIDENCY REQUIREMENTS. (1) For any Idaho public institu-
14 tion of higher education, a "resident student" is:

15 (a) Any student who has one (1) or more parent or parents or court-ap-
16 pointed guardians who are domiciled in the state of Idaho, and the par-
17 ent, parents or guardians provide at least fifty percent (50%) of the
18 student's support. Domicile, as used in this section, means that indi-
19 vidual's true, fixed and permanent home and place of habitation. It is
20 the place where that individual intends to remain, and to which that in-
21 dividual expects to return when that individual leaves without intend-
22 ing to establish a new domicile elsewhere. To qualify under this sec-
23 tion, the parent, parents or guardians must have maintained a domicile
24 in the state of Idaho for at least twelve (12) months prior to the open-
25 ing day of the term for which the student matriculates.

26 (b) Any student who receives less than fifty percent (50%) of the stu-
27 dent's support from a parent, parents or legal guardians and who has
28 continuously resided and maintained a bona fide domicile in the state
29 of Idaho primarily for purposes other than educational for twelve (12)
30 months preceding the opening day of the term for which the student ma-
31 triculates.

32 (c) Any student who is a graduate of an accredited secondary school in
33 the state of Idaho pursuant to section 33-119, Idaho Code, is domiciled
34 in Idaho, and matriculates at an Idaho public institution of higher
35 education within eight (8) years immediately following secondary
36 school graduation regardless of the domicile of the student's parent or
37 guardian, or any student who completes six (6) years of elementary and
38 secondary education in Idaho, is domiciled in Idaho, and matriculates
39 at an Idaho public institution of higher education within eight (8)
40 years immediately following completion of secondary education.

41 (d) The spouse of a person who is classified, or is eligible for clas-
42 sification, as a resident of the state of Idaho for the purposes of at-

1 tending an Idaho public institution of higher education, except that a
2 student who was enrolled as a full-time student in any term during the
3 twelve (12) month period before the term in which the student proposes
4 to enroll as a resident student must independently establish domicile
5 under subsection (2) of this section.

6 (e) A member of the armed forces of the United States who entered ser-
7 vice as an Idaho resident and who has maintained Idaho resident status,
8 but is not stationed within the state of Idaho on military orders.

9 (f) A member of the armed forces of the United States, stationed in the
10 state of Idaho on military orders.

11 (g) An officer or an enlisted member of the Idaho national guard.

12 (h) A person separated, under honorable conditions, from the United
13 States armed forces after at least two (2) years of service, who at
14 the time of separation designates the state of Idaho as his intended
15 domicile or who has Idaho as the home of record in service and enters
16 a college or university in the state of Idaho within one (1) year of
17 the date of separation, or who moves to Idaho for the purpose of estab-
18 lishing domicile; provided however, to maintain status as a resident
19 student, such person must actively establish domicile in Idaho within
20 one (1) year of matriculation in a public institution of higher educa-
21 tion in Idaho.

22 (i) The dependent child of a person who qualifies as a resident student
23 under the provisions of paragraphs (e) through (g) of this subsection
24 and who receives at least fifty percent (50%) support from such person
25 shall also be a resident student and shall not lose that resident status
26 if, after he or she enters an Idaho public institution of higher educa-
27 tion, the parent or guardian is transferred out of the state of Idaho on
28 military orders.

29 (j) A student who is a member of an Idaho Native American Indian tribe,
30 whose traditional and customary tribal boundaries included portions
31 of the state of Idaho, or whose Indian tribe was granted reserved lands
32 within the state of Idaho. The state board of education shall maintain a
33 list of tribes that meet these requirements.

34 (k) A student matriculating at and attending a public institution of
35 higher education in Idaho in a graduate or professional program who:

36 (i) Graduated from an institution of higher education located in
37 Idaho that:

38 1. Is public;

39 2. Is private and holds a certificate of registration with
40 the board pursuant to section 33-2402, Idaho Code; or

41 3. Is private, nonprofit and exempt from registration with
42 the board pursuant to section 33-2402, Idaho Code;

43 (ii) Physically resided in Idaho for at least the final twelve
44 (12) months of undergraduate studies;

45 (iii) Earned a baccalaureate degree from the undergraduate in-
46 stitution sufficient to meet the standards for admission into the
47 graduate or professional program; and

48 (iv) Enrolls in the graduate or professional program no later than
49 thirty-six (36) months after receiving a baccalaureate degree
50 from the undergraduate institution.

1 (2) The establishment of a new domicile in Idaho by a person formerly
2 domiciled in another state has occurred if such person has resided in Idaho
3 for the prior twelve (12) months and:

4 (a) Is physically present in Idaho primarily for purposes other than
5 educational. An undergraduate student who is enrolled as a full-time
6 student in any term during the prior twelve (12) month period shall be
7 presumed to be in Idaho for primarily educational purposes. Such period
8 of enrollment shall not be counted toward the establishment of a domi-
9 cile in this state unless the student can provide proof of full-time em-
10 ployment in Idaho for twelve (12) months before the term in which the
11 student proposes to enroll as a resident student and the filing of an
12 Idaho state resident income tax return for the prior tax year; or

13 (b) Is a full-time student in a graduate or professional program at an
14 institution of higher education in Idaho.

15 (3) Notwithstanding the provisions of subsections (1) and (2) of this
16 section, the following students shall be considered nonresidents for tu-
17 ition purposes:

18 (a) A student attending an Idaho public institution of higher education
19 with financial assistance provided by another country or governmental
20 unit or agency thereof. Such nonresidency shall continue for twelve
21 (12) months after the completion of the last semester for which such
22 assistance was provided.

23 (b) A student who is not a United States citizen, unless lawfully
24 present in the United States.

25 (4) The state board of education and the board of regents of the univer-
26 sity of Idaho shall adopt uniform and standard rules applicable to all Idaho
27 public institutions of higher education now or hereafter established to de-
28 termine residency status of any student and to establish procedures for re-
29 view of that status.

30 (5) Appeal from a final determination denying residency status may be
31 initiated by the filing of an action in the district court of the county in
32 which the affected public institution of higher education is located. An ap-
33 peal from the district court shall lie as in all civil actions.

34 (6) Nothing contained herein shall prevent the state board of education
35 and the board of regents of the university of Idaho from establishing quo-
36 tas, standards for admission, standards for readmission, or other terms and
37 requirements governing persons who are not residents for purposes of higher
38 education.

39 (7) For students who apply for special graduate and professional pro-
40 grams including, but not limited to, ~~the WWAMI (Washington, Wyoming, Alaska,~~
41 ~~Montana, Idaho) regional medical program, the WICHE student exchange pro-~~
42 ~~grams, Idaho dental education program, the university of Utah school of~~
43 ~~medicine, and the Washington-Idaho regional program in veterinary medicine,~~
44 and the Idaho medical, dental, and veterinary medicine education programs,
45 no applicant shall be certified or otherwise designated as a beneficiary of
46 such special program who does not meet the definition of resident student as
47 set forth in subsection (1) of this section.

48 SECTION 2. That Section 33-3731, Idaho Code, be, and the same is hereby
49 amended to read as follows:

1 33-3731. CONTRACT REQUIREMENTS FOR STATE-SUPPORTED MEDICAL STUDENTS
 2 -- MEDICAL EDUCATION REIMBURSEMENT FUND. (1) An individual who qualifies
 3 as an Idaho resident pursuant to section 33-3717B, Idaho Code, and who is
 4 accepted into ~~the Washington, Wyoming, Alaska, Montana, Idaho (WWAMI) re-~~
 5 ~~gional medical education program or into the university of Utah school of~~
 6 ~~medicine in a slot~~ a medical education program enrolling Idaho students
 7 supported by Idaho state funds in slots reserved for an Idaho students
 8 shall, before confirming enrollment in such program or school, enter into
 9 a contract with the state board of education or the board's designee, which
 10 contract shall specify that the individual will commit to entering active
 11 full-time professional practice in Idaho for a period of four (4) years
 12 within one (1) year of:

- 13 (a) Obtaining a license to practice medicine;
- 14 (b) Finishing a residency or subspecialty residency; or
- 15 (c) Finishing a medical education fellowship as defined by the state
 16 board of education or the board's designee.

17 (2) Each year of a residency served in Idaho, up to four (4) years, will
 18 be credited as one-half (1/2) year of the practice requirement provided in
 19 subsection (1) of this section. After the fourth year, no credit shall be
 20 given for any additional residency years.

21 (3) An individual who fails to abide by the contract described in sub-
 22 section (1) of this section shall reimburse the state for the state's finan-
 23 cial obligation in supporting the individual's medical education, as deter-
 24 mined by the state board of education or the board's designee. Reimbursement
 25 must:

- 26 (a) Begin within one (1) year of:
 - 27 (i) Obtaining a license to practice medicine;
 - 28 (ii) Finishing a residency or subspecialty residency; or
 - 29 (iii) Finishing a medical education fellowship as defined by the
 30 state board of education or the board's designee;
- 31 (b) Be paid according to an amortized schedule established by the state
 32 board of education or the board's designee; and
- 33 (c) Be completed within eight (8) years of the date the reimbursement
 34 requirement began.

35 (4) The reimbursement obligation described in subsection (3) of this
 36 section:

- 37 (a) Shall not accrue any interest; and
- 38 (b) May, by act of the state board of education or the board's designee,
 39 be:
 - 40 (i) Suspended if reimbursement is temporarily impossible or
 41 would create extreme hardship for a temporary period, including
 42 but not limited to suspension for medical reasons, personal rea-
 43 sons, parental leave, or call to active duty in the armed forces;
 44 or
 - 45 (ii) Waived if:
 - 46 1. Reimbursement is permanently impossible or would create
 47 extreme hardship, including but not limited to death, in-
 48 ability to complete the program, or inability to obtain a li-
 49 cense to practice medicine; or

1 2. The individual owing reimbursement is participating in
2 a program of the federal government or United States armed
3 forces that has a service requirement.

4 (5) The provisions of this section shall apply to individuals matric-
5 ~~ulating in the WWAMI program or the university of Utah school of medicine a~~
6 ~~medical education program enrolling Idaho students supported by Idaho state~~
7 ~~funds in slots reserved for Idaho students in fall 2023 and thereafter.~~

8 (6) There is hereby established in the state treasury a medical educa-
9 tion reimbursement fund, which shall be administered by the state board of
10 education or the board's designee. Moneys in the fund shall:

11 (a) Consist of:

12 (i) Reimbursement paid pursuant to subsection (3) of this sec-
13 tion;

14 (ii) Legislative appropriations;

15 (iii) Donations; and

16 (iv) Interest earned on idle moneys in the fund; and

17 (b) Be used for, subject to availability:

18 (i) The costs of administering and enforcing the provisions of
19 this section; and

20 (ii) Incentive grants in an amount and according to a program
21 established under state board of education policy. Such grants
22 shall be awarded to licensed physicians who practice medicine in
23 Idaho and who meet other criteria provided in board policy.

24 (7) The state board of education is authorized to take such actions as
25 are necessary to effectuate the provisions of this section.

26 SECTION 3. That Chapter 37, Title 33, Idaho Code, be, and the same is
27 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
28 ignated as Section 33-3732, Idaho Code, and to read as follows:

29 33-3732. WWAMI PROGRAM TRANSITION -- MEDICAL EDUCATION PROGRAM DESIG-
30 NATIONS -- AUTHORITY TERMINATION.

31 (1) (a) No further slots may be reserved for Idaho students in the WWAMI
32 (Washington, Wyoming, Alaska, Montana, Idaho) medical education pro-
33 gram after the 2026-2027 academic year, and no Idaho state funds desig-
34 nated for medical education shall be paid for such students after such
35 academic year, except as provided in paragraph (b) of this subsection.

36 (b) Idaho students supported by Idaho state funds who are occupying
37 slots reserved for Idaho students and who are enrolled in the WWAMI
38 program for the incoming class of the 2026-2027 academic year, and such
39 Idaho students enrolled in prior WWAMI class years, may complete their
40 full four (4) year course of study and training with continued support
41 from Idaho state funds.

42 (2) The state board of education shall designate at least two (2) med-
43 ical education programs within Idaho, or adjacent states located wholly
44 within the mountain time zone, in which slots will be reserved for new Idaho
45 medical education program students. Such programs shall be supported by
46 Idaho state funds beginning with the 2027-2028 academic year based on the
47 number of slots funded by the Idaho legislature. For students of such pro-
48 grams, a majority of the clinical medical education placements of each des-
49 ignated medical education program shall be physically located in the state

1 of Idaho beginning with the 2029-2030 academic year. No more than sixty (60)
2 slots may be reserved per class in the largest of the programs so designated.

3 (3) Notwithstanding the provisions of subsection (2) of this section,
4 upon the opening or acquisition of a medical education program by the state
5 of Idaho, the state board of education may designate only one (1) medical ed-
6 ucation program not owned by the state of Idaho in which slots may be reserved
7 for new Idaho medical education program students supported by Idaho state
8 funds, based on the number of slots funded by the Idaho legislature. Such
9 program shall be located in Idaho, or an adjacent state located wholly within
10 the mountain time zone. For such students, a majority of the clinical medi-
11 cal education placements of such designated medical education program shall
12 be physically located in the state of Idaho. Within five (5) years of the
13 state of Idaho opening or acquiring a medical education program that is owned
14 by the state of Idaho, at least forty percent (40%) of the slots for new Idaho
15 medical education program students supported by Idaho state funds shall be
16 for the medical education program owned by the state of Idaho.

17 SECTION 4. An emergency existing therefor, which emergency is hereby
18 declared to exist, this act shall be in full force and effect on and after
19 July 1, 2025.