

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 368, As Amended in the Senate

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 ESTABLISH
6 PROVISIONS REGARDING MEDICAL EDUCATION PROGRAMS SUPPORTED BY IDAHO
7 STATE FUNDS; AND DECLARING AN EMERGENCY.
8

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

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

12 33-3717B. RESIDENCY REQUIREMENTS. (1) For any Idaho public institu-
13 tion of higher education, a "resident student" is:

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

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

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

40 (d) The spouse of a person who is classified, or is eligible for clas-
41 sification, as a resident of the state of Idaho for the purposes of at-
42 tending an Idaho public institution of higher education, except that a

1 student who was enrolled as a full-time student in any term during the
2 twelve (12) month period before the term in which the student proposes
3 to enroll as a resident student must independently establish domicile
4 under subsection (2) of this section.

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

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

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

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

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

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

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

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

37 1. Is public;

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

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

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

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

47 (iv) Enrolls in the graduate or professional program no later than
48 thirty-six (36) months after receiving a baccalaureate degree
49 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. MEDICAL EDUCATION. (1) Beginning with the 2026-2027 academic
30 year, the number of slots reserved for Idaho medical education students sup-
31 ported by Idaho state funds at a medical education program other than the
32 Washington, Wyoming, Alaska, Montana, Idaho (WWAMI) regional medical edu-
33 cation program, as determined by the state board of education, shall be in-
34 creased by ten (10) students per incoming class each academic year, until the
35 incoming class size reaches thirty (30) students. For all but twenty (20)
36 of the non-WWAMI students per incoming class, all of the medical education
37 coursework and a majority of the clinical medical education placements shall
38 be physically located in the state of Idaho.

39 (2) Beginning with the 2027-2028 academic year, the number of incom-
40 ing class slots reserved for Idaho medical education students supported by
41 Idaho state funds in the WWAMI medical education program may be decreased by
42 at least ten (10) students pursuant to the provisions of subsection (3) of
43 this section.

44 (3) Pursuant to the provisions of subsections (1) and (2) of this sec-
45 tion, there shall be created a working group to develop a medical education
46 plan for the state of Idaho supporting both allopathic and osteopathic edu-
47 cation. The working group shall consist of not more than nine (9) members.
48 Two (2) members of the working group shall be members of the legislature.
49 Of the legislative members, one (1) shall be a member of the house of repre-

1 representatives appointed by the speaker of the house of representatives and one
2 (1) shall be a member of the senate appointed by the president pro tempore
3 of the senate. One (1) member shall be appointed by the Idaho college of os-
4 teopathic medicine. One (1) member shall be appointed by Idaho state uni-
5 versity. One (1) member shall be appointed by the university of Idaho. Any
6 other members shall be appointed by the state board of education. The medi-
7 cal education plan developed by the working group shall be delivered to the
8 governor and the legislature by no later than January 2, 2026, and shall:

9 (a) Address how the plan for undergraduate medical education will re-
10 duce the physician shortage in Idaho, in conjunction with graduate med-
11 ical education;

12 (b) Ensure the quality of medical education programs for Idaho stu-
13 dents;

14 (c) Maximize the amount of Idaho medical education funds that are spent
15 in Idaho;

16 (d) Maximize the number of clinical medical education placements lo-
17 cated in and managed by the state of Idaho;

18 (e) Maximize the number of medical residency placements located in
19 Idaho;

20 (f) Minimize conflicts with medical education program partners; and

21 (g) Minimize conflicts in delivering medical education coursework and
22 clinical medical education placements to students enrolled in differ-
23 ent medical education programs.

24 SECTION 4. An emergency existing therefor, which emergency is hereby
25 declared to exist, this act shall be in full force and effect on and after its
26 passage and approval.