

**National Health Service Corps Loan Repayment Program
Continuation Contract
FY 2013 – Extension and Amendment for Full-time Service**

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
HEALTH RESOURCES AND SERVICES ADMINISTRATION
BUREAU OF CLINICIAN RECRUITMENT AND SERVICE**

Consistent with Section E of the initial National Health Service Corps Loan Repayment Program Contract ("Loan Repayment Program Contract") entered into under section 338B of the Public Health Service (PHS) Act (42 U.S.C. 2541-1) between the undersigned Loan Repayment Program participant ("participant") and the Secretary of Health and Human Services ("Secretary"), this contract extends the initial Loan Repayment Program Contract for an additional year of full-time service and amends the initial Loan Repayment Contract as follows:

1. The participant agrees to complete one (1) additional year of service in accordance with Section B.1.b. of the initial Loan Repayment Program Contract, and engage in a full-time clinical practice as defined herein. A *full-time clinical practice* is defined as a minimum of 40 hours per week, for a minimum of 45 weeks per service year. The remainder of the service year (approximately 7 weeks) may, as authorized by the approved service site(s), be spent away from the practice for holidays, vacation, continuing professional education, illness, or any other reason. Failure to meet the minimum 45 weeks per service year will extend the service obligation end date or result in a breach of the Loan Repayment Program Contract, as determined by the Secretary. The minimum 40 hours per week may be compressed into no less than 4 days per week, with no more than 12 hours of work to be performed in any 24-hour period. Time spent "on-call" will not count toward the 40-hour week, except to the extent that direct patient care is being provided during the "on-call" period. Time worked in excess of the minimum 40 hours per week cannot be applied to any other work week and will not count toward the service obligation.
 - **For all full-time health professionals except as noted below**, at least 32 of the minimum 40 hours per week must be spent providing direct patient care or teaching in the outpatient ambulatory care setting(s) at the approved service site(s), during normally scheduled office hours. The remaining 8 hours of the minimum 40 hours per week must be spent providing clinical services for patients or teaching in the approved service site(s), providing clinical services in alternative settings as directed by the approved service site(s), or performing practice-related administrative activities.
 - **For full-time OB/GYN physicians, family medicine physicians who practice obstetrics on a regular basis, providers of geriatric services, pediatric dentists, and certified nurse-midwives**, at least 21 of the minimum 40 hours per week must be spent providing direct patient care or teaching in the outpatient ambulatory care setting(s) at the approved service site(s), during normally scheduled office hours. The remaining 19 hours of the minimum 40 hours per week must be spent providing clinical services for patients or teaching in the approved service site(s), providing clinical services in alternative settings as directed by the approved service site(s), or performing practice-related administrative activities.
 - **For full-time behavioral and mental health providers**, at least 21 of the minimum 40 hours per week must be spent providing direct patient care (patient counseling) or teaching

in the outpatient ambulatory care setting(s) at the approved service site(s), during normally scheduled office hours. The remaining 19 hours of the minimum 40 hours per week must be spent providing clinical services for patients or teaching in the approved service site(s), providing clinical services in alternative settings as directed by the approved service site(s), or performing practice-related administrative activities.

- **For full-time physicians, physician assistants, nurse practitioners, and certified nurse midwives serving in Critical Access Hospitals (CAHs) that are approved service sites**, at least 16 of the minimum 40 hours per week must be spent providing direct patient care or teaching in the CAH-affiliated outpatient ambulatory care setting(s) at the approved service site(s), during normally scheduled office hours. The remaining 24 hours of the minimum 40 hours per week must be spent providing direct patient care or teaching at the CAH that is an approved service site or in the CAH-affiliated outpatient ambulatory care setting(s) at the approved service site(s), providing direct patient care in the CAH's skilled nursing facility or swing bed unit, or performing practice-related administrative activities.
 - **For all full-time health professionals**, practice-related administrative activities shall not exceed 8 hours of the minimum 40 hours per week. Teaching activities at the approved service site(s) shall not exceed 8 hours of the minimum 40 hours per week, unless the teaching takes place in a Teaching Health Center as defined in section 749A(f)(3) of the PHS Act (42 USC 2931-1(f)(3)). Teaching activities in a Teaching Health Center shall not exceed 20 hours of the minimum 40 hours per week.
2. In return for the additional service set forth in Paragraph 1 of this Contract, the Secretary agrees to pay the participant's remaining qualifying graduate and/or undergraduate educational loans as follows:
 - a. up to \$30,000 if the participant will be providing a third year of full-time service under this contract;
 - b. up to \$30,000 if the participant will be providing a fourth year of full-time service under this contract; or
 - c. up to \$20,000 if the participant will be providing a fifth or subsequent year of full-time service under this contract.
 3. The participant agrees to apply all loan repayments received under Paragraph 2. of this contract, to reduce the participant's qualifying graduate and/or undergraduate educational loans.
 4. If the participant, for any reason, fails to begin or complete the service obligation set forth in Paragraph 1. of this contract, the participant agrees to pay the United States an amount equal to the sum of:
 - a. the total of the amounts paid by the United States to, or on behalf of, the participant under Paragraph 2. of this contract for any period of obligated service not served;
 - b. an amount equal to the product of the number of months of obligated service not completed by the participant, multiplied by \$7,500; and
 - c. interest on the amounts described in a. and b. of this paragraph at the maximum legal prevailing rate, as determined by the Treasurer of the United States, from the date of the breach;

Page 2 – NHSC Loan Repayment Program FY 2013 One-Year Contract for Full-Time Service

except that the amount the United States is entitled to recover shall not be less than \$31,000.

5. The Secretary may approve the participant’s request for an additional continuation contract in accordance with the Secretary’s established policies and procedures in effect at the time of the request for continuation.
6. The initial Loan Repayment Program Contract is amended to conform its provisions to the amendments made by section 202 of Public Law 101-597, Title III of Pub. L. 107-251, and sections 5508(b) and 10501(n) of Pub. L. 111-148 relating to the National Health Service Corps Loan Repayment Program.
7. A request for continuation of this Contract will not be approved if prior loan repayments received under this Contract were not applied to reduce the participant’s qualifying graduate and/or undergraduate educational loans.
8. The Secretary may terminate this contract if, on or before August 17, 2013 the participant:
 - a. submits a written request to terminate this Contract and
 - b. repays all amounts paid to, or on behalf of, the participant under Paragraph 2. of this Contract.
9. The participant agrees to comply with the debarment and suspension regulations found at Title 2, CFR, Part 180, as

supplemented by Title 2, CFR, Part 376.

10. The participant agrees to maintain a full, unrestricted, and unencumbered license to practice the participant’s health profession as required by applicable State or Federal law.
11. The participant agrees to promptly report to the NHSC any change in the participant’s status as a full-time clinician at the approved service site(s).
12. The participant agrees to submit to the NHSC semi-annual written verifications of service, and any other documents as required by the Secretary, relating to compliance with the applicable clinical practice requirement during the period of obligated service.
13. In the event that the participant’s service at the NHSC-approved site ceases for any reason, the Secretary reserves the right to reassign the participant to another NHSC-approved site for the remaining period of the participant’s service obligation. If the Secretary determines not to reassign the participant, or if the participant refuses a reassignment from the Secretary, the participant will be liable in accordance with the breach provisions of Paragraph 4 above.

This contract extension is not effective until the participant has fully completed the previously contracted Loan Repayment Program service commitment and this contract has been signed and dated by the participant and the Secretary.

Participant Name (please print):	
Participant’s Signature:	Date:
Secretary of Health and Human Services or Designee:	Date:
Revised 10/2012	