

House Bill 287 (AS PASSED HOUSE AND SENATE)

By: Representatives Dubnik of the 29<sup>th</sup>, Newton of the 123<sup>rd</sup>, Hawkins of the 27<sup>th</sup>, Parrish of the 158<sup>th</sup>, and Hatchett of the 150<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated,  
2 relating to imposition, rate, computation, and exemptions from income taxes, so as to delete  
3 an income tax deduction for certain physicians serving as community based faculty  
4 physicians; to create a new income tax credit for taxpayers who are licensed physicians,  
5 advanced practice registered nurses, or physician assistants who provide uncompensated  
6 preceptorship training to medical students, advanced practice registered nurse students, or  
7 physician assistant students for certain periods of time; to provide for procedures, conditions,  
8 and limitations; to provide for definitions; to provide for legislative findings; to provide for  
9 a short title; to provide for related matters; to provide for an effective date and applicability;  
10 to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 The General Assembly finds that:

14 (1) Georgia's primary care shortages are well documented, and it is imperative that the  
15 training of medical students, physician assistant students, and advanced practice  
16 registered nurse students be secured in this state as these are three key disciplines of the  
17 core primary care work force. Georgia invests heavily in the educational programs  
18 required to train and produce these students, and the Preceptor Tax Incentive Program is  
19 designed to alleviate some of the struggles faced by such programs as they seek to secure  
20 sufficient community based training sites for the education of their students; and

21 (2) Off-shore and out-of-state medical schools are using Georgia community based  
22 clinical faculty and paying them approximately \$1,500.00 per rotation. Accordingly, a  
23 powerful incentive is required to ensure that Georgia's volunteer community based  
24 faculty preceptors are retained to provide training for medical students, physician  
25 assistant students, and advanced practice registered nurse students matriculating in  
26 Georgia based educational programs.

27 **SECTION 2.**

28 This Act shall be known and may be cited as the "Preceptor Tax Incentive Program" or  
29 "PTIP."

30 **SECTION 3.**

31 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to  
32 imposition, rate, computation, and exemptions from income taxes, is amended by revising  
33 paragraph (13.2) of subsection (a) of Code Section 48-7-27, relating to computation of  
34 taxable net income, as follows:

35 ~~"(13.2)(A) An amount equal to \$1,000.00 for any physician who served as the~~  
36 ~~community based faculty physician for a medical core clerkship provided by~~  
37 ~~community based faculty.~~

38 ~~(B) An amount equal to \$1,000.00 for any physician who served as the community~~  
39 ~~based faculty physician for a physician assistant core clerkship provided by community~~  
40 ~~based faculty.~~

41 ~~(C) An amount equal to \$1,000.00 for any physician who served as the community~~  
42 ~~based faculty physician for a nurse practitioner core clerkship provided by community~~  
43 ~~based faculty.~~

44 ~~(D) As used in this paragraph, the term:~~

45 ~~(i) 'Community based faculty physician' means a noncompensated physician who~~  
46 ~~provides a minimum of three and a maximum of ten clerkships within a calendar year.~~

47 ~~(ii) 'Medical core clerkship,' 'physician assistant core clerkship,' or 'nurse practitioner~~  
48 ~~core clerkship' means a clerkship for a student who is enrolled in a Georgia medical~~  
49 ~~school, a Georgia physician assistant school, or a Georgia nurse practitioner school~~  
50 ~~and who completes a minimum of 160 hours of community based instruction in~~  
51 ~~family medicine, internal medicine, pediatrics, obstetrics and gynecology, emergency~~  
52 ~~medicine, psychiatry, or general surgery under the guidance of a community based~~  
53 ~~faculty physician.~~

54 ~~(E) The state-wide Area Health Education Centers Program Office at Georgia Regents~~  
55 ~~University shall administer the program and certify rotations for the department.~~

56 ~~(F) This paragraph shall apply to all taxable years beginning on or after January 1,~~  
57 ~~2014."~~

58 **SECTION 4.**

59 Said article is further amended by adding a new Code section to read as follows:

60 "48-7-29.22.

61 (a) As used in this Code section, the term:

62 (1) 'Advanced practice registered nurse student' means an individual participating in a  
63 training program in this state that is accredited by a nationally recognized accrediting  
64 body for advanced practice registered nursing programs for the training of individuals to  
65 become advanced practice registered nurses as defined in Code Section 43-26-3.

66 (2) 'Community based faculty preceptor' means an individual who is a physician as  
67 defined in Code Section 43-34-21, an advanced practice registered nurse as defined in  
68 Code Section 43-26-3, or a physician assistant as defined in Code Section 43-34-102 and  
69 who is licensed as such by this state.

70 (3) 'Medical student' means an individual participating in a training program in this state  
71 that is approved by the Georgia Composite Medical Board for the training of doctors of  
72 medicine or doctors of osteopathic medicine.

73 (4) 'Physician assistant student' means an individual participating in a training program  
74 in this state that is approved by the Georgia Composite Medical Board for the training of  
75 individuals to become physician assistants as defined in Code Section 43-34-102.

76 (5) 'Preceptorship rotation' means a period of preceptorship training of one or more  
77 medical students, physician assistant students, or advanced practice registered nurse  
78 students that in aggregate totals 160 hours.

79 (6) 'Preceptorship training' means uncompensated community based training of a medical  
80 student, advanced practice registered nurse student, or physician assistant student  
81 matriculating in a training program in Georgia.

82 (b)(1) A community based faculty preceptor shall be allowed a credit against the tax  
83 imposed by Code Section 48-7-20 if he or she conducts a preceptorship rotation.

84 (2) Such credit shall be accrued on a per preceptorship rotation basis in the amount of  
85 \$500.00 for the first, second, or third preceptorship rotation and \$1,000.00 for the fourth,  
86 fifth, sixth, seventh, eighth, ninth, or tenth preceptorship rotation completed in one  
87 calendar year by a community based faculty preceptor who is a physician as defined in  
88 Code Section 43-34-21 and \$375.00 for the first, second, or third preceptorship rotation  
89 and \$750.00 for the fourth, fifth, sixth, seventh, eighth, ninth, or tenth preceptorship  
90 rotation completed in one calendar year by a community based faculty preceptor who is  
91 an advanced practice registered nurse as defined in Code Section 43-26-3 or a physician  
92 assistant as defined in Code Section 43-34-102.

93 (3) An individual shall not accrue credit for more than ten preceptorship rotations in one  
94 calendar year.

95 (c)(1) A community based faculty preceptor shall not be eligible to earn hours credited  
96 toward preceptorship training if he or she has not registered with the state-wide Area  
97 Health Education Centers (AHEC) Program Office at Augusta University.

98 (2) The AHEC Program Office at Augusta University shall administer the Preceptor Tax  
 99 Incentive Program and certify preceptorship rotations for the department on behalf of all  
 100 eligible public and private training programs for medicine, osteopathic medicine,  
 101 advanced practice nursing, and physician assistant at institutions in this state for the  
 102 department.

103 (d) To receive the credit allowed by this Code section, a community based faculty  
 104 preceptor shall claim such credit on his or her return for the tax year in which he or she  
 105 completed the preceptorship rotation; shall certify that he or she did not receive payment  
 106 during such tax year from any source for the training of a medical student, advanced  
 107 practice registered nurse student, or physician assistant student; and shall submit supporting  
 108 documentation as prescribed by the commissioner.

109 (e) In no event shall the total amount of the tax credit under this Code section for a taxable  
 110 year exceed the taxpayer's income tax liability. No such tax credit shall be allowed the  
 111 taxpayer against prior or succeeding years' tax liability.

112 (f)(1) On August 1, 2020, and annually thereafter, the commissioner and the AHEC  
 113 Program Office at Augusta University shall issue a report to the Governor, the  
 114 chairperson of the Senate Finance Committee, and the chairperson of the House  
 115 Committee on Ways and Means concerning the tax credit created by this Code section.

116 (2) Such report shall include, for the prior calendar year, the:

117 (A) Number of community based faculty preceptors claiming a credit;

118 (B) Total number of preceptorship rotations completed;

119 (C) Number of medical students, advanced practice registered nurse students, and  
 120 physician assistant students who participated in a preceptorship rotation; and

121 (D) Total amount of credits awarded pursuant to this Code section.

122 (g) The commissioner shall be authorized to promulgate any rules and regulations  
 123 necessary to implement and administer the provisions of this Code section.

124 (h) This Code section shall stand repealed by operation of law at the last moment of  
 125 December 31, 2023."

126 **SECTION 5.**

127 This Act shall become effective on July 1, 2019, and shall be applicable to all taxable years  
 128 beginning on or after January 1, 2019, and ending on or before December 31, 2023.

129 **SECTION 6.**

130 All laws and parts of laws in conflict with this Act are repealed.