**Section 590.20 Definitions**

When used in this Part, the following terms have the meanings ascribed in this Section:

"Academic year" means September 1 in one year through August 31 of the next year, or as otherwise defined by the accredited school.

"Accredited family medicine residency" means a training program meeting the requirements of the Accreditation Council for Graduate Medical Education, or the Committee on Postdoctoral Training of the American Osteopathic Association.

"Accredited medical school" means a college or university at which a Doctor of Medicine (M.D.) degree or a Doctor of Osteopathic Medicine (D.O.) degree is earned. For an M.D., the college or university is accredited by the Liaison Committee on Medical Education (http://lcme.org/). For a D.O., the college or university is accredited by the Commission on Osteopathic College Accreditation (https://www.osteopathic.org/inside-aoa/accreditation/COM-accreditation/Pages/default.aspx).

"Act" means the Underserved Health Care Provider Workforce Act [110 ILCS 935].

"Administrative law judge" or "ALJ" shall have the meaning ascribed in 77 Ill. Adm. Code 100 (Practice and Procedure in Administrative Hearings).

*"Advanced practice registered nurse" or "APRN" means a person who has met the qualifications for a certified nurse midwife (CNM), certified nurse practitioner (CNP); certified registered nurse anesthetist (CRNA); or clinical nurse specialist (CNS) and has been licensed by the Department of Financial and Professional Regulation. (Section 50-10 of the Nurse Practice Act)*

"Authorized representative" means a person who has authority to act on behalf of the legal entity or person that is an applicant or grantee. Authorized representatives are: for a corporation, any of its officers or members of its board of directors; for a limited liability company, any of its managers or members; for a partnership, any of its general partners; and for a sole proprietor, the individual who is the sole proprietor.

"Board certified physician" means a physician who has passed a medical specialty examination and who has maintained certification of that specialty from a nationally recognized medical specialty board certification body.

"Board eligible physician" means a physician who has completed the requirements for admission to a medical specialty board examination but has not yet taken and passed the examination.

"Breach of service obligation" means failure for any reason to begin or complete all of a contractual service commitment.

"Business day" means Monday through Friday. It does not include a federal or State government declared holiday, Saturday or Sunday.

"Calendar day" means all days in a month or prescribed time frame. It includes weekends and federal or State government declared holidays.

"Center" means the Center for Rural Health of the Illinois Department of Public Health.

"Certified U.S. Mail" means U.S. Mail for which proof of delivery is obtained.

"Children's Health Insurance Program" or "CHIP" means health coverage that is provided to eligible children, through the Illinois Department of Healthcare and Family Services.

*"Chiropractic physician" means a chiropractic physician as defined in the Medical Practice Act of 1987.* (Section 3.11 of the Act)

"Commercial loans" means loans made by banks, credit unions, savings and loan associations, insurance companies, and other licensed financial institutions.

*"Committee" means the Advisory Committee for Residency Programs.* (Section 3.03 of the Act)

"Community-based organization" means a locally organized and locally recognized group of individuals whose goals include efforts to lawfully maintain or increase the availability of health care in their community.

"Construction" means the establishment of a new building (including the installation of fixed equipment), or completion of shell space in an existing building.

"Construction costs" or "Modernization costs" means expenses from a construction contract.

"Continuous attendance" means enrollment in an accredited medical school for an entire academic year and for the total duration of time it takes the student to complete medical education, up to the maximum number of years the recipient is eligible to receive the scholarship. Continuous attendance shall be deemed to have been broken if the student goes more than 12 months without successfully completing a medical-related course from an accredited medical school.

"Default" means failure to meet all legal obligations or conditions of a loan.

"Deferment" means the temporary delay or postponement of a scholarship recipient's continuous attendance or service obligation or an educational loan repayment recipient's service obligation.

*"Department" means the Illinois Department of Public Health.* (Section 3.01 of the Act)

*"Designated Shortage Area" means an area designated by the Director as a physician shortage area, a medically underserved area* or a health professional shortage area*, or a critical health manpower shortage area as defined by the United States Department of Health, Education and Welfare, or as further defined by the Department to enable it to effectively fulfill the purpose stated in Section 2 of the Act. Such areas may include the following:*

*an urban or rural area which is a rational area for the delivery of health services;*

*a population group;*

*a public or nonprofit private medical facility; or*

*a government-owned, privately owned, independent, or provider-based Rural Health Clinic or hospital that accepts Medicaid, Medicare, the State's Children's Health Insurance Program, private insurance, and self-pay.* (Section 3.04 of the Act)

"Direct patient care" means care of a patient provided by an eligible health care provider. It may involve any aspect of the health care of a patient, including diagnostic and treatment services; support services such as laboratory, radiologic, and pharmacy; counseling; in-service for self-care; patient education; and administration of medication.

*"Director" means the Director of the Illinois Department of Public Health.* (Section 3.02 of the Act)

"Disabled" shall have the meaning ascribed in Section (2)(A)(2.1) of the Business Enterprise for Minorities, Females and Persons with Disabilities Act.

"Disability" shall have the meaning ascribed in Section 1-103(I) of the Illinois Human Rights Act.

"Due diligence" means action taken toward the completion of a project with the diligence and foresight that persons of ordinary prudence and care would exercise under similar circumstances.

"Data Universal Numbering System" or "DUNS" is a system that assigns a unique numeric identifier, referred to as a DUNS number, to a single business entity.

"Educational loan repayment award" or "award" means the amount of funding awarded to a recipient based upon reasonable educational expenses, up to a maximum established by the program.

*"Eligible health care provider" means a primary care physician, general surgeon, emergency medicine physician, obstetrician, anesthesiologist, chiropractic physician, advanced practice registered nurse, or physician assistant who accepts Medicaid, Medicare, the State's Children's Health Insurance Program, private insurance, and self-pay.* (Section 3.09 of the Act)

*"Eligible medical student" means a person who meets all of the following qualifications:*

*He or she is an Illinois resident at the time of application for a scholarship;*

*He or she is studying medicine in* an accredited *medical school located in Illinois or studying chiropractic medicine in a chiropractic college or institution in Illinois;*

*He or she exhibits financial need as determined by the Department; and*

*He or she agrees to practice full-time,* at a Department approved site, located *in a Designated Shortage Area* in Illinois *as a primary care physician, general surgeon, emergency medicine physician, obstetrician, or chiropractic physician one year for each year he or she is a scholarship recipient.* (Section 3.07 of the Act)

"Emergency medicine physician" means a physician licensed to practice medicine in Illinois under the Medical Practice Act of 1987 with a specialty dedicated to the care and treatment of acutely ill or injured patients who need immediate medical attention.

"Equipment" means tangible personal property of a non-consumable nature that may be acquired by a purchase, lease purchase, or installment contract that has a value exceeding $100.

"Equipment costs" means the cost of movable capital equipment that is not in a construction or renovation contract.

"Federally Qualified Health Center" or "FQHC" means a health center funded under section 330 of the Public Health Service Act (42 U.S.C. 254b).

"Federally Qualified Health Center Look-Alike" or "FQHC Look-Alike" means an organization that meets the requirements for receiving a grant under section 330 of the Public Health Service Act but does not receive federal grants under that authority.

"Federal poverty level as published in the Federal Register" means the poverty level population figures published annually in the Federal Register. The Federal Register may be found at the website: https://www.federalregister.gov/.

"Fellowship" means optional medical training, usually one year, completed after residency training.

"Fiscal year" means the financial operating year of Illinois State government. It begins on July 1 and ends on June 30 of the next calendar year.

"Fixed equipment" means assets that are usually attached and integral to the building's function.

"Forbearance" means the postponement of loan payments by a lender for a temporary period to give the borrower time to make up overdue payments.

"Full-time practice" means a recipient works a minimum of 40 hours per week, for a minimum of 45 weeks per year, at a medical facility located in a designated shortage area in Illinois. For general surgeons and emergency medicine physicians, full-time practice means working a minimum of 32 hours per week, for a minimum of 45 weeks per year, at a medical facility located in a designated shortage area in Illinois.

"Funding period" means the time frame during which grant funds are to be expended by the grantee (usually corresponding with the Department's fiscal year).

"General surgeon" means a physician licensed to practice medicine in Illinois under the Medical Practice Act of 1987 after successful completion of an accredited surgical residency program, with a specialty in the diagnosis, preoperative, operative, and postoperative surgical management of a patient.

"Good academic standing" means a student is matriculating with the rest of that student's class, as determined by the student's medical school.

"Government loans" means loans made by federal, State, county or city agencies authorized to make those loans.

"Grant" means funds awarded under the Act.

*"Grantor agency"* means *any agency of State government which dispenses grant funds.* (Section 2(a) of the Illinois Grant Funds Recovery Act)

"Grant Agreement" or "agreement" means the agreement entered into between the Department and the grantee setting forth the terms and conditions of a scholarship or educational loan repayment award.

*"Grant funds"* means *public funds dispensed* by the Department *to any person or entity for obligation, expenditure or use for a specific purpose.* (Section 2(b) of the Illinois Grant Funds Recovery Act)

"Grantee" means a *person or entity which may use grant funds.* (Section 2(c) of the Illinois Grant Funds Recovery Act)

"Health Professional Shortage Area Score" or "HPSA score" means the HPSA shortage severity score calculated by the U.S. Department of Health and Human Services (HHS).

"Hospital" means a location defined in and licensed under the Hospital Licensing Act [210 ILCS 85].

"Illinois resident" means a person who is a resident of Illinois at the time of application for a Medical Student Scholarship or educational loan repayment award and who is a citizen or national of the United States.

"Legal holiday" means a holiday set by statute, during which government working hours are suspended.

"Lender" means the commercial or government entity that made the qualifying loan.

"Matriculation fees" means the actual educational expenses charged to all students by the various medical schools. These fees are charged to offset the expenses incurred by the school in areas such as the application and enrollment processing, library use, mandatory health insurance, and student activities.

"Medicaid" means a health insurance program for individuals with limited income and limited financial assets. The Medicaid program is jointly administered and funded by the federal and State government.

"Medical school" means any private or public nonprofit school in Illinois that provides education leading to a doctor of medicine or doctor of osteopathy degree, that is approved by the Illinois Department of Financial and Professional Regulation, pursuant to the Medical Practice Act of 1987, and that is accredited by the Liaison Committee on Medical Education (http://lcme.org/) or the Commission on Osteopathic College Accreditation (https://www.osteopathic.org/inside-aoa/accreditation/COM-accreditation/Pages/default.aspx).

*"Medical facility" means a facility for the delivery of health services and includes a hospital, State mental health institution, public health center, outpatient medical facility, rehabilitation facility, long term care facility, community mental health center, migrant health center, community health center,* rural health clinic, *or State correctional institution.* (Section 3.08 of the Act)

"Medical student" means an individual studying medicine in an accredited medical school located in Illinois or an individual studying chiropractic medicine in a chiropractic college or institution in Illinois.

"Medically underserved area" or "MUA" means a location designated by the U.S. Department of Health and Human Services based on the availability of primary care physicians, demographic characteristics, and health status of the residents of a service area. The designation is used to identify areas in need of additional health care services. MUAs can be found at: https://data.hrsa.gov/tools/shortage-area/mua-find.

"Medically underserved population" or "MUP" means individuals who:

reside in an HHS designated Health Professional Shortage Area or a medically underserved area;

who are designated a medically underserved population by HHS; or

who reside in an area designated by the Department as underserved.

"Medicare" means the federal government's health insurance program for: people who are 65 or older; certain younger people with disabilities; and people with End-Stage Renal Disease (permanent kidney failure requiring dialysis or a transplant, sometimes called ESRD).

"Metropolitan Statistical Area" or "MSA" means one or more adjacent counties that have at least one urban core area of at least 50,000 population, plus adjacent territory that has a high degree of social and economic integration with the core, as measured by commuting ties.

"Modernization" means alteration, renovation, upgrading, or improvement of an existing building.

"Null and void" means an application submitted to the Department has no legal force and is invalid.

"Obligation" or "Obligated" means a requirement for a grantee to make future payments from grant funds that result from financial transactions that have occurred with vendors or other entities in relation to the grantee's activities.

"Obstetrician" means a physician licensed to practice medicine in Illinois under the Medical Practice Act of 1987 with a specialty dedicated to pregnancy, childbirth and the postpartum period.

"Official transcript" means transcripts that have been received directly from the institution or have been issued to the applicant or recipient in a sealed envelope, which shall remain sealed until its arrival at the Department. The transcript shall include the institution's official seal, the date the transcript was issued, and the registrar's signature. The transcript will be verifiable by the Department.

"Part-time practice" means a recipient works a minimum of 20 hours per week, but no more than 39 hours per week, for a minimum of 45 weeks per year, at a medical facility located in a designated shortage area in Illinois. For general surgeons and emergency medicine physicians, part-time practice means working a minimum of 16 hours per week but no more than 24 hours per week, for a minimum of 45 weeks per year, at a medical facility located in a designated shortage area in Illinois.

"Physician assistant" means an individual licensed under the Physician Assistant Practice Act of 1987 [225 ILCS 95].

"Practice location" means the physical location where the eligible health care provider practices predominately. For full-time eligible health care providers, this means working at least 21 hours per week at this location. For general surgeons and emergency medicine physicians, this means working at least 17 hours per week at this location. For part-time providers, this means working at least 11 hours per week at this location. For part-time providers who are general surgeons and emergency medicine physicians, this means working at least nine hours per week at this location.

"Primary care" means health care that encompasses prevention services, basic diagnostic and treatment services, and support services, including laboratory, radiologic, and pharmacy.

*"Primary care physician" means a person licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 with a specialty in Family Practice, Internal Medicine, Obstetrics and Gynecology, or Pediatrics as defined by recognized standards of professional medical practice.* (Section 3.05 of the Act)

"Private insurance" means a health insurance plan sold by the private health insurance industry. This involves employer-sponsored plans and private coverage purchased outside of the workplace from the individual and family health insurance marketplace.

"Project completion" means that the project has concluded based on the project objectives and within the time frame requirements in the Grant Agreement.

"Qualifying loan" means government or commercial loans used for tuition and reasonable educational and living expenses related to the medical degree that was obtained by the recipient prior to the recipient's application for loan repayment. These loans shall be contemporaneous with the education received.

"Rational area" means the geographic area surrounding a physician's office, a hospital or a clinic, from which the residents of the geographic area may be reasonably expected to seek health care from the physician, hospital or clinic located within that geographic area.

"Real property" means lands, structures, buildings, and anything that is affixed to them. Real property does not include items that can be moved, including equipment and furniture.

"Reasonable educational expenses" means the actual costs for education, exclusive of tuition. These costs include, but are not limited to, matriculation fees, books, supplies, clinical travel, educational equipment, materials, board certification, or licensing examinations. These costs shall not exceed the estimated standard budget for expenses for the degree program and for the years of enrollment.

"Reasonable living expenses" means room and board, transportation and commuting costs. These expenses shall not exceed the estimated standard budget for the recipient's degree program and for the years of enrollment.

"Recipient" means a medical student receiving funds from the Illinois Medical Student Scholarship Program or an eligible health care provider receiving educational loan repayment funds.

"Residency matching process" means the U.S. National Resident Matching Program that coordinates the matching of medical students with the hospitals and residency training programs in the medical students' selected specialty. The matching application process usually lasts from June through September of one year, with match announcements made in March of the following year.

*"Residency program" means a program accredited by the Accreditation Council for Graduate Medical Education* (http://www.acgme.org/) *or the Committee on Postdoctoral training of the American Osteopathic Association* (http://www.osteopathic.org/inside-aoa/accreditation/postdoctor-training-approval/Pages/default.aspx)*.* (Section 3.06 of the Act)

"Residency training" means the years of graduate medical education that follow medical school and that train the new physician in his or her chosen specialty (e.g., family medicine, pediatrics).

"Rural" means any geographic area not located in a U.S. Bureau of the Census Metropolitan Statistical Area; or a county located within a Metropolitan Statistical Area but having a population of 60,000 or less; or a community located within a Metropolitan Statistical Area but having a population of 2,500 or less.

"Rural Health Clinic" means a clinic that is located in a rural area designated as a shortage area, is not a rehabilitation agency or a facility primarily for the care and treatment of mental diseases and provides primary care and routine laboratory services to medically underserved populations.

"Self-pay" means a patient who pays for their health-related service in absence of insurance to cover the medical or surgical procedure performed.

"Service obligation" means an eligible health care provider who practices full-time or part-time at a medical facility in a designated shortage area in Illinois. For medical student scholarship recipients, the physician must work *one year for each year he or she is a scholarship recipient.* (Section 3.07(d) of the Act) For educational loan repayment recipients, the eligible health care provider must work full-time for two years or part-time for four years at a medical facility in a designated shortage area in Illinois for the initial grant term.

"Shell space" means space constructed to meet future needs. It is space enclosed by an exterior building shell, but otherwise unfinished inside.

"Submission of application" means that a complete grant, scholarship or educational loan repayment application has been received by the Department by the established deadline. Submission does not mean that the application is postmarked by the established submission deadline but arrives at the Department on a later date.

"Supplant" means to replace, to take the place of, or to supersede. As used in this Part, grant funds cannot be used to replace or supersede other sources of funding.

"Supplies" means a general purpose consumable item that commonly has a shorter life span than equipment, and that is stocked for recurring use.

"Supplies expense" means the actual costs incurred for general purpose consumable items that have a shorter life span than equipment and that are stocked for recurring use.

"Suspension" means an action by the Department to suspend a recipient's participation in Department grant and loan repayment programs for a specified period of time.

"Termination for cause" means termination of employment caused by the eligible health care provider's personal dishonesty, willful misconduct, breach of fiduciary duty, intentional failure to perform stated duties, or the willful violation of any law, rule or regulation, any of which results in material loss to the employer.

"Termination without cause" means termination of the eligible health care provider's employment for the convenience of the employer.

"Toll" or "Tolling" means to pause, postpone or suspend the running of a defined time period.

"Total and permanent disability" means a physical or mental impairment, disease, or loss of a permanent nature that prevents employment with or without reasonable accommodation.

"Travel" means the actual cost incurred by a grantee's employees to travel to fulfill specific job requirements. These costs could include air travel, local transportation, per diem, mileage allowance and lodging.

"Tuition" means the established charges of a medical school for instruction at that institution.

"United States citizen" means an individual born in the United States; Puerto Rico (on or after April 11, 1899); the Canal Zone or the Republic of Panama (on or after February 26, 1904); the Virgin Islands (on or after January 17, 1917); Guam (after April 11, 1899); or the Commonwealth of the Northern Mariana Islands (on or after November 4, 1986); foreign-born children, under age 18, residing in the U.S. with their birth or adoptive parents, at least one of whom is a U.S. citizen by birth or naturalization; and individuals granted citizenship status by the U.S. Department of Homeland Security, Customs and Immigration Service. (See https://www.uscis.gov/policy-manual/volume-12-part-a-chapter-2#footnote-6)

"Urban" means any geographic area that does not meet the definition of "rural" in this Section.

"Waiver" means to permanently relieve a scholarship or educational loan repayment recipient's continuous attendance or service obligation, expressly put forth in writing.

(Source: Amended at 48 Ill. Reg. 15882, effective October 23, 2024)