

**New York State Department of Health
Office of Primary Care and Health Systems Management
Center for Health Care Policy and Resource Development
Division of Workforce Transformation**

Solicitation of Interest

***Doctors Across New York
Physician Loan Repayment and
Physician Practice Support Programs
Cycle X***

QUESTIONS AND ANSWERS

Questions below were received by the deadline announced in the SOI. The NYSDOH is not responsible for any errors or misinterpretation of any questions received.

The responses to questions included herein are the official responses by the State to questions posted by potential bidders and are hereby incorporated into the SOI # **20472**. In the event of any conflict between the SOI and these responses, the requirements or information contained in these responses will prevail.

WHO MAY APPLY

Question 1A: Are physicians of all specialties eligible to apply? For example, Emergency Medicine, Pulmonology, General Surgery, and Infection Prevention.

Question 1B: I am a neurologist working in an underserved area. Would I qualify for this loan forgiveness program? I would like to add that I see children down to age 10, so I am providing pediatric care as well.

Question 1C: I am a podiatrist providing services in rural NY. I was hoping to find out if I qualify as a DPM for the Loan Repayment program.

Question 1D: Are anesthesiologists eligible for DANY funding for federal student loan repayment?

Question 1E: Are there any specialties which are prohibited from applying under DANY Cycle X (e.g., pediatric neurosurgery, urologic oncology, etc.)?

Answer 1(A-E): Both primary care doctors and specialists who are either a Doctor of Medicine (MD) or a Doctor of Osteopathy (DO) may qualify for this grant.

Question 2A: Are dentists eligible for this cycle?

Question 2B: Do nurse practitioners qualify or is this just for MD's?

Answer 2(A-B): Both primary care doctors and specialists who are either a Doctor of Medicine (MD) or a Doctor of Osteopathy (DO) may qualify for the DANY grant. Dentists and Nurse Practitioners are eligible to apply for the New York State Primary Care Service Corps Loan Repayment Program and the National Health Service Corps. Information about those programs can be obtained at the following website: <https://www.chwsny.org/service-obligated-programs/>

Question 3A: Are fellows eligible for this loan forgiveness?

Question 3B: Are residents eligible for this award?

Answer 3(A-B): Only a Doctor of Medicine (MD) or a Doctor of Osteopathy (DO) may qualify for this opportunity. Per the SOI Section II Minimum Qualifications, the physician must be licensed to practice medicine in New York State by the time the three-year DANY service obligation begins (September 1, 2024) and have an employment contract in place no later than September 1, 2024.

Question 4: I am a family medicine physician employed at XYZ College Health Center in Ithaca, NY. I am reaching out to enquire about my eligibility for the DANY program, and specifically ask if there's an avenue for eligibility for physicians employed in a higher education setting to pursue DANY loan forgiveness.

Answer 4: If you are an individual physician applicant, in order to be eligible for the DANY grant you must meet all the mandatory requirements listed in Section II A (#1 - #16) of the SOI. This includes but is not limited to working for a qualified health care facility (#10) and maintaining full time clinical work hours (#12).

Question 5: Are you excluded from this if you are currently in practice in an underserved area?

Answer 5: If you are an individual physician applicant, to be eligible for the DANY grant you must meet all the mandatory requirements listed in Section II A (#1 - #16) of the SOI. For Cycle X, a physician is not required to be "newly" employed in an underserved

area.

Question 6: The SOI states that the physician cannot be employed by a health system operated by a separate New York agency other than the New York State Department of Health or State University of New York. I work for a Practice that is owned and operated by Rochester Regional Health. Would that count as a separate New York agency thus disqualifying me from the application?

Answer 6: If you are an individual physician applicant, to be eligible for the DANY grant you must meet all the mandatory requirements listed in Section II A (#1 - #16) of the SOI. This includes but is not limited to working for a qualified health care facility (#10). If your employer is one of these types of facilities, and if it qualifies as an underserved area, you may qualify for this grant.

A physician employed by a health care facility operated by a New York State agency, other than the Department of Health or the State University of New York (SUNY), is not eligible to apply under this Solicitation of Interest. A physician employed by a health care facility operated by the federal government is not eligible to apply under this Solicitation of Interest.

Question 7A: Would I be able to qualify if I have been awarded a DANY grant in the past? I am still working in the same underserved area/hospital.

Question 7B: I was a past recipient of DANY, which was unfortunately forfeited due to an illness and subsequent medical leave of absence. I have since recovered completely and continued to practice in a rural, underserved community in NYS. Inquiring on eligibility to apply for this cycle?

Answer 7(A-B): As stated in Minimum Qualifications on page 3 #8 of the SOI, "The physician must not have previously received DANY PLR or PPS funding."

Question 8A: I work at a hospital and clinic in an underserved area. I was wondering if it was better for me to apply for the practice support option or to have the facility apply for me for retention/enhanced compensation?

Question 8B: Should the application be submitted by the applicant (*physician*) or the supporting institution?

Answer 8(A-B): You may apply as an individual physician applicant, or the health care facility may apply for the grant and name you as the designated physician. If you apply as an individual physician, you will be the grantee, and may take the grant with you to a new qualifying job if you choose to make a change during the DANY obligation period. Your options are to apply for 1) Repaying qualified educational debt; or 2) Supporting the cost of establishing or joining a medical practice. An individual physician may apply for practice support only if they are the owner of the facility where they work.

If the health care facility applies (and names you as the physician fulfilling the DANY obligation), they are the grantee, and you cannot take the grant with you if you change employment during the DANY obligation period. The options for health care facility applicants are to apply for 1) sign-on, productivity or retention bonus; 2) repayment of outstanding qualified educational debt; 3) enhanced compensation; or 4) or any combination thereof. In all cases, 100 percent of funding provided under the award must go to the physician.

One type of applicant does not have a clear advantage over the other when the Department makes awards. Awards are primarily made in order of the date and time of receipt of initial application until funding is exhausted for that region or provider category.

HOW TO APPLY

Question 9: Where can I find the application for DANY? I didn't see it on the website but I saw applications are now open:

https://www.health.ny.gov/professionals/doctors/graduate_medical_education/doctors_across_ny/

Answer 9: The Department of Health is pleased to announce that the Doctors Across New York (DANY) Physician Loan Repayment and Physician Practice Support Programs – Cycle 10 – is now posted and open for applications.

A link to the Solicitation of interest can be found on our Department website, as well as, the Contract Reporter. The links to those sites are below:

- [Doctors Across New York \(ny.gov\)](https://www.health.ny.gov/professionals/doctors/graduate_medical_education/doctors_across_ny/)
- [New York State Contract Reporter \(ny.gov\)](https://www.health.ny.gov/contract-reporter/)

Question 10A: First, is the application submission already open and do I simply send

attachments for the application all via email to this email address?

Question 10B: Can I apply for DANY Physician Loan Repayment Online or do I have to print out and submit the PDF form?

Question 10C: Is the completed list of twelve attachments titled “Solicitation of Interest” the entire application?

Answer 10(A-C): The SOI, section IV “How to Apply” on page 9 contains the details on how to successfully apply for DANY Cycle 10.

EDUCATION LOANS

Question 11: Are refinanced private student loans eligible for DANY?

Answer 11: Refinanced loans are eligible if they are marketed as educational loans and must be from lending institutions subject to governmental regulation. The loans must be in your name and not combined or consolidated with another individual.

Question 12A: Do private student loans serviced by Laurel Road/Mohela, etc. used for educational purposes to pay for undergraduate and post graduate education qualify for DANY? Or does it only apply to federal loans and/ or loans used toward an MD degree?

Question 12B: I wanted to know if private (i.e. Sofi) student loans qualify for this program.

Question 12C: Does a private education loan qualify for this?

Question 12D: I had to get private loans to pay for medical school because I did a Global scholars program through St Georges University that was in England and we were not allowed to get federal loans. That means that I am not eligible for PSLF or any other loan forgiveness. My loans are currently through American Education Services, as well as Firstmark services. Are these loans eligible for the DANY grant?

Answer 12(A-D): Eligible physician applicants may use DANY funds to repay outstanding qualified educational debt. For purposes of this RFA, “qualified educational debt” means any outstanding amounts remaining on student loans that were used by the physician to pay graduate or undergraduate tuition or related educational expenses, where such loans were made by or guaranteed by the federal or state government or made by a lending or educational institution approved under Title IV of the federal

Higher Education Act.

Question 13: Are the funds given to the physician, to be then used to pay off their monthly loans, or do the funds get sent directly to the Student Loan company to pay off the principle?

Answer 13: Grant fund payments are made to the individual or health care facility that holds the contract. If a hospital applied for loan repayment funds for a physician, the payment is made to the hospital with expectation that 100% of the funds be passed along to the physician named in the contract. If an individual physician applied for loan repayment, the payment is made to the physician. Either way, it is the physician's responsibility to pass those funds along to the approved educational loan for payment. Documentation of such will be required.

Question 14: How do individual physician applications receive the loan payments? In other words, are the payments issued monthly or semi-annually in a lump sum?

Answer 14: Payments will be made quarterly or semiannually at the discretion of the Department and only after the required reports are received. The required reports are Employment Verification Forms and Loan Verification Forms (in the instances where funds are being used for loan repayment).

Question 15: I have about \$45,000 left in state student loans and expect my federal loans to be forgiven around the time of this year's DANY award. This means that a single year's award of \$40,000 would likely pay off the remaining balance I have for student loans. If this is the case, can I still do the DANY application? The DANY terms are \$40k a year for 3 years, so for people with under \$120,000 in student loans can we do only one or two years worth of rewards? And if so, does this reduce my required service term (example one year of reward for one year of service?)

Answer 15: An applicant seeking to use DANY funds for loan repayment must include educational loan statements dated no more than 30 days prior to their application submission. Such statements will be forwarded to the New York State Higher Education Services Corporation (HESC) to verify the existence and amount of qualified education debt. No DANY award shall be made in excess of the outstanding amount of educational debt as verified by HESC. Where a DANY award is made for this purpose, the physician will be required to submit educational loan statements on an annual basis to ensure payments are being applied to the loans. If any loan has been forgiven, it is

no longer eligible for repayment through the DANY program. Educational loan balances cannot be accessed or credited retroactively; they are re-assessed at the start date of the contract to determine the final award amount.

Per section II Minimum Qualifications, a physician is eligible for a DANY award for the period (September 1, 2024 – August 31, 2027) to repay qualified educational debt or pay costs of establishing or joining a medical practice. All grantees serve the same obligation period and the payout schedule is spread over the three-year obligation period.

Question 16: If an individual physician has a loan or loans in forbearance, is the physician still eligible to apply for the NYS DANY program?

Answer 16: A physician may have loans in deferment or forbearance status. However, applicants are not eligible if loans are in default status.

Question 17: If an individual physician has loans that on a payment freeze with the lender, is the physician still eligible to apply for the NYS DANY program?

Answer 17: The federal payment freeze ended on October 1, 2023 and borrowers have restarted paying their loans. If you have a payment freeze with an individual private lender, those situations need to be assessed on a case-by-case basis. Be aware that awardees are not allowed to hold their DANY award payments in private or business accounts for an extended period of time. All contract disbursements must be applied to the pre-approved outstanding educational debt, or other pre-approved expenses, within a reasonable time frame. If you are not able or willing to apply these funds, you must return all prior disbursements of grant funds not applied to the State. The Department will not be able to disburse any future funds until verifying prior funds that have been received are applied accordingly.

USE OF FUNDS

Question 18: Define/provide examples regarding what qualifies as “enhanced compensation” to the physician.

Answer 18: Enhanced compensation means additional funding over and above what would have been provided to the physician prior to a DANY award being granted. For example, if the physician salary had been set at \$X, you could give the physician a

bonus (on top of the \$X salary) with funds from the grant. However, you could not use the funds to pay a portion of \$X since doing so would be considered a salary offset. Money should be used to provide added support to the physician.

Question 19: Will educational debt repayment obligations be considered part of an application for physician retention? What other ongoing practice expenses are factored in the approval/amount of a physician retention award (i.e. practice rent, employee salaries/benefits, equipment upgrades, etc.)?

Answer 19: The answer to this question depends upon the type of applicant. For facility applicants, the SOI Section III A. "Use of Funds" #3 states:

Helping health care facilities recruit or retain physicians: A DANY award made to a health care facility can be used to provide one physician, who must be identified in the application, with one of the following: (1) a sign-on or retention bonus (i.e. additional funding over and above what would have been provided to the physician prior to a DANY award being granted; funds cannot be used as a bonus offset), (b) repayment of outstanding qualified educational debt, or (c) enhanced compensation (i.e. additional funding over and above what would have been provided to the physician prior to a DANY award being granted, the funds cannot not be used as a salary offset) with one exception: a health care facility operated by SUNY can only use DANY funds for loan repayment of outstanding qualified educational debt.

Expenses like practice rent, employee salaries, and equipment upgrades can only be used by physician applicants as stated in the SOI Section III A. "Use of Funds" #2 Supporting the cost of establishing or joining a medical practice.

Question 20: Can an independently owned medical practice (PLLC) receive a full grant for all 3 years to retain a physician employee, even if that employee is also the owner?

Answer 20: When the applicant is a health care facility and the funds are being used for recruitment and retention, the funds are meant for physician employees not the physician owners.

Question 21: I have a question regarding this clause in the application:

Please note: Awardees are not allowed to hold their DANY award payments in private or business accounts for an extended period of time. All contract disbursements must be applied to the preapproved outstanding educational debt, or other pre-approved

expenses, within a reasonable time frame.

Does this mean funds need to be applied to student loans in a lump sum as soon as they are made available? Or is it okay to use the funds to make monthly payments over the course of 12 months as stipulated in the DANY contact?

Answer 21: When DANY funds are being used for preapproved outstanding educational loan debt, the named physician is required to submit documentation showing all funds disbursed for education loan repayment are used for the designated purpose. This reporting requirement will occur no less than once per year. NYS will not disburse any additional funds until existing funds have been shown to be applied properly.

IMPORTANT DATES

Question 22: Is the application due March 28th or May 2nd? I am a little confused by the announcement. Please clarify.

Answer 22: March 28, 2024, is the due date for any written questions you may have about the Cycle 10 application. Responses to those questions will be posted on or about April 11, 2024. The application due date is May 2, 2024, prior to 4:00 PM.

Question 23: Do we need to be employed before applying? Or are we applicable as long as we have a start date before September 1, 2024? If the latter, what documentation is needed?

Answer 23: As stated in Minimum Qualifications on page 4 #13 of the SOI, the date on which the physician's employment contract or business plan begins must be no later than September 1, 2024. Employment start dates are verified both on Attachment 2 and on Attachment 5 documents.

Question 24: How long is the commitment (sic)?

Answer 24: Page 1 of the SOI states that the Contract Term (or DANY Service Obligation Period) for all grantees is September 1, 2024 to August 31, 2027.

AWARD AMOUNTS / LIMITS

Question 25: Can the total allocated award be more than the current loan amount? For example, if the current outstanding debt is \$115,000 can an applicant apply for the maximum \$120,000 (assuming that over the three-year award, the interest will cause the total to increase above \$120,000)?

Answer 25: If an individual physician applicant is applying to repay qualified educational debt, the amount requested for the DANY award cannot exceed the total amount of all outstanding educational loans. Future accumulation of interest cannot be considered. Proof of loan statements must be provided at the time of application and will be re-evaluated at the start of the contract.

Question 26: Is it possible to request a lower amount of loan forgiveness (i.e., 40K) and a shorter term?

Answer 26: An applicant may apply for up to \$40,000 per year for three years (not to exceed \$120,000). An applicant may request a lesser amount; however, the obligation period is the same for all applicants regardless of the amount requested. The DANY obligation period for all Cycle X grantees is September 1, 2024 – August 31, 2027.

Question 27: Who determines if, and for how much, a grant is awarded?

Answer 27: Grant decisions are made by the New York State Department of Health, Division of Workforce Transformation staff in accordance with the minimum qualifications and standards set forth in the Solicitation of Interest.

ATTACHMENTS / UPLOADS

Attachment 1 – Minimum Eligibility Requirements (mandatory)

Question 28: The Attachment 1 asks if the physician has a three-year employment contract. Is it acceptable if the language in the contract states:

"Your employment or retention shall be for an initial term of one year and shall be automatically renewed on an annual basis unless either of us provides the other with written notice that the term will not be renewed at least Ninety (90) days prior to the end of the current term."

Or does the employment contract need to explicitly state a three-year term?

Answer 28: All applicants must complete Attachment 5 for DANY grant consideration. This includes both a copy of the current Employment Contract and an Addendum Letter. You do not need to submit a revised contract to state that you will fulfill the DANY service obligation (which is three years). Instead, when completing the required Addendum Letter, the first bullet will sufficiently address the issue.

Question 29: My office is located in an underserved area, and we care for all patients regardless of ability to pay, including Medicare, Medicaid, and uninsured patients. However, my contract does not state explicitly that we see these patients as outlined in Questions 13, 14, 15, and 16 in the Minimum Eligibility Requirements. What documentation can I provide to prove this?

Answer 29: As stated in Attachment 1: *“The Physician who is completing the DANY service obligation is eligible to participate in this program only if the Applicant can answer “Yes” to questions (1-16) pertaining to the Physician. Applicants are instructed to upload the completed document as Attachment 1 of the application.”*

Furthermore, by completing Attachment 8, you are certifying that all the information contained in the application (including all attachments) is accurate, true, and complete in all material respects.

Question 30A: Under the Applicant Name on Attachment 1, should we enter our business name, XYZ Pediatrics PLLC? Or the individual physician working under us?

Question 30B: In Attachment 1, can you clarify the identifiable name (health care facility or the physician)?

Answer 30(A-B): If you are applying for the grant as a health care facility applicant, then you would list the business name. If the physician is applying for the grant as an individual physician, then you should enter the physician’s name.

Question 31: Does the participation in Medicare/Medicaid programs (which are severely underpaying physicians) factor into the approval process?

Answer 31: Per the SOI Attachment 1, the applicant must be able to answer “Yes” to questions (1-16) in order to be eligible to participate in this program.

Question 32: Is it possible to apply for one type of grant (educational loan repayment) for a single cycle, and then reapply in a subsequent cycle for another type of grant (physician retention)?

Answer 32: Per the SOI Attachment 1, the applicant must be able to answer “No” to questions (17-22) in order to be eligible to participate in this program.

Attachment 2 – Program Specific Questions

Question 33: For Attachment 2, should I leave the name/phone/email of contact person blank if I’m an individual applicant?

Answer 33: For Attachment 2 under “Applicant Information” all questions require an answer, and you must ensure all answers are legible. If the applicant is a facility, provide contact information of the person responsible for the submission. If the applicant is an individual physician, enter the contact information for that physician.

Question 34: For Attachment 2, how do I determine if I am a healthcare facility applicant vs individual? I will be working under contract with XYZ Hospital does that mean I am a healthcare facility applicant?

Answer 34: You may apply either way, one type of applicant does not have a clear advantage over the other when the Department makes awards. If you apply as an individual physician, you will be the grantee, and may take the grant with you to a new qualifying job if you choose to make a change during the DANY obligation period. Your options are to apply for 1) Repaying qualified educational debt; or 2) Supporting the cost of establishing or joining a medical practice. An individual physician may apply for practice support only if they are the owner of the facility where they work.

If the health care facility applies, they are the grantee, and you cannot take the grant with you if you change employment during the DANY obligation period. The options for health care facility applicants are to apply for 1) sign-on, productivity or retention bonus; 2) repayment of outstanding qualified educational debt; 3) enhanced compensation; or 4) or any combination thereof. In all cases, 100 percent of funding provided under the award must go to the physician.

Question 35: If an organization is applying for the DANY grant in the hopes of being able to offer loan forgiveness to a future doctor that has yet to be located. The application is asking for names and license numbers of people that I do not have just yet for example part 2 of Attachment 2, part 5 of Attachment 2, and part 6. I am also sure there are many more places. What do I do just leave it blank or write something explaining?

Answer 35: Attachment 2 of the SOI instructs: Respond to each of the questions in all sections described below when completing the Program Specific Questions. All questions require an answer, and you must ensure all answers are legible. Therefore, at the time of application you must name the physician that will be fulfilling the DANY service obligation. That physician must meet all the Eligibility Requirements of this SOI.

Question 36: On Attachment 2, Part 4 I am supposed to request the amount of funding I need. I will be using this funding to repay student loans from medical school and my total loan amount is approximately \$61K. What amount should I request? Although I can request the exact principal of the loan the actual amount that I pay will be different from this amount and that exact amount may not be completely predictable depending on the timing of disbursement because of interest and scheduled monthly payments.

Answer 36: If an individual physician applicant is applying to repay qualified educational debt, the amount requested for the DANY award cannot exceed the total amount of all outstanding educational loans. Future accumulation of interest cannot be considered. Proof of loan statements must be provided at the time of application. Loan amounts will be reassessed and finalized at the contract start date of September 1, 2024.

Question 37: Is the NYS DOH, OASAS or OHM Operating Certificate # or Department of State Identification # the same as the EIN number?

Answer 37: An Employer Identification Number (EIN) number is a unique identifier used by the Internal Revenue Service for the purpose of reporting taxes. The NYS DOH, OASAS or OHM Operating Certificate Number or Department of State Identification Number pertains to a category of license issued by the state allowing a business to provide a particular type of service for a limited period of time.

Attachment 5 – Employment Contract or Business Plan

Question 38A: My employer does not provide 3-year contracts, only 2-year contracts.

How do I meet the eligibility criteria in this case?

Question 38B: I am under a 2-year contract with my current employer (started 8/21/23). Would I need an updated contract stating they intend to hire me from 9/1/24 - 8/30/27? Would my current contract with a supplemental letter from administration (intent to renew) be sufficient?

Question 38C: Will I be eligible for the DANY grant if my contract is only for 2 years? I plan to stay longer, but our boilerplate contract is for 2 years.

Answer 38(A-C): All applicants must complete Attachment 5 for DANY grant consideration. It requires applicants include both a copy of the current Employment Contract and an Addendum Letter. Applicants do not need to submit a revised contract to state that the physician will fulfill the DANY service obligation (which is three years). Instead, when completing the required Addendum Letter, the first bullet will sufficiently address the issue.

Question 39: Does a solo independent physician need to supply a contract? (It would be with myself)

Answer 39: Per the SOI Attachment 5, applicants are instructed to provide either a copy of their Employment Contract or Business Plan (if the physician is not employed and is in a private practice).

Question 40A: I want to clarify what activities fall under "clinical hours". A large portion of my time is spent as an Epidemiologist where my services include working to reduce hospital-acquired infections, outbreaks, and health promotion/infection control. I do this in addition to seeing patients on certain days in clinic.

Question 40B: I am being considered for a role where I would be a preceptor and assistant residency program director. Would my supervising the delivery of care through resident physicians as the attending of record also qualify for DANY grant?

Question 40C: I want to clarify if the 32 hours per week must be in direct patient care. For example, I see patients in clinic part of the week, but I also have administrative roles where I supervise and lead clinical quality improvement projects related to improving access to and quality of care. Would this qualify?

Answer 40(A-C): Per the SOI, Section II page 4 #12, the services that the physician will provide under the employment contract or business plan must constitute full time clinical

practice. This is the equivalence of 40 hours of service (with a minimum of 32 clinical hours) (excluding teaching or research) per week for at least 45 weeks per year. The calculation of full time may also be based on working a minimum of 150 hours of service per month when the individual is working in an Emergency Department setting and/or as a Hospitalist. The hours of service may not include time spent in “on-call” status except to the extent that the physician is regularly scheduled and providing patient care at the site(s) identified in Attachment 6. A portion of the physician’s time may be spent providing telehealth services that are in compliance with applicable NYS regulations. However, telehealth services must be a component of the physician’s traditional practice and may not account for more than 40% of their overall clinical work hours per week.

***The 32 Clinical hours per week should be in direct patient care and therefore does not include time spent conducting teaching or research.**

Question 41A: I see that if a physician is working in an emergency department the monthly required hours are 150. For emergency physicians full time work is considered to be 30 hours a week, or 120 hours a month at most hospital systems. Would there be any way to confirm that 120 hours a month is considered full time through my employer so that I may still apply for the grant?

Question 41B: In my job, the current guidelines state we are contracted for 32 clinical hours with the option of 7 weeks of vacation, a grand total of 1440 hours per year. I work at SUNY, which does things slightly differently, where there is a possibility of me being contracted for 28 clinical hours per week, however we do not get 7 weeks of vacation time. If I am still meeting the necessary 1440 hours per year, does it matter how they are spread out, e.g. if I work 28 clinical hours/week but do not take the 7 weeks vacation time and schedule it to still work 1440 hours/year for the three year period?

Answer 41(A-B): Per the SOI, Section II page 4 #12, the services that the physician will provide under the employment contract or business plan must constitute full time clinical practice. This is the equivalence of 40 hours of service (with a minimum of 32 clinical hours) (excluding teaching or research) per week for at least 45 weeks per year. The calculation of full time may also be based on working a minimum of 150 hours of service per month when the individual is working in an Emergency Department setting and/or as a Hospitalist. The hours of service may not include time spent in “on-call” status except to the extent that the physician is regularly scheduled and providing patient care at the site(s) identified in Attachment 6. A portion of the physician’s time may be spent providing telehealth services that are in compliance with applicable NYS regulations. However, telehealth services must be a component of the physician’s traditional practice and may not account for more than 40% of their overall clinical work hours per

week.

***The 32 Clinical hours per week should be in direct patient care and therefore does not include time spent conducting teaching or research.**

Question 42: I work at a public safety net hospital. Do I need to ask my employer to specifically include the following language stated on the DANY SOI in my employment contract?

- Does the employment contract or business plan reflect that the physician will provide health services to individuals in the area without discriminating against them because of their inability to pay for those services?
- Does the employment contract or business plan reflect that the physician will provide health services to individuals in the area without discriminating against them because of enrollment in or utilization of insurance provided under Part A “Medicaid” or Part B “State Children’s Health Insurance Program” of Title XVIII of the Social Security Act (42 U.S.C. 1395)?
- Does the employment contract or business plan reflect that the physician will accept assignment under section 1842(b)(3)(B)(ii) of the Social Security Act (42 U.S.C. section 1395u(b)(3)(B)(ii)) for all services for which payment is made under Part B of Title XVIII of such act?
- Does the employment contract or business plan reflect that the physician will enter into an appropriate agreement with the State agency which administers the State plan for medical assistance under Titles XIX and XXI of the Social Security Act to provide services to individuals entitled to medical assistance under the plan?

As I work for a public hospital, these stipulations are assumed and not routinely added to our contracts.

Answer 42: As stated in Attachment 1: *“The Physician who is completing the DANY service obligation is eligible to participate in this program only if the Applicant can answer “Yes” to questions (1-16) pertaining to the Physician. Applicants are instructed to upload the completed document as Attachment 1 of the application.”*

Furthermore, by completing Attachment 8, you are certifying that all the information contained in the application (including all attachments) is accurate, true, and complete in all material respects.

Question 43: Can a physician apply if they work for two different employers (part time at each) at approved locations if the hours add up to 40 hours of service with a minimum of 32 hours per week – making the work full time?

Answer 43: It is not required that a physician’s full-time employment hours be solely at one institution. If the applicant works at more than one institution, their cumulative contract hours must equate to a full-time schedule (as defined in Section II. Minimum

Qualifications). The applicant would need to provide contracts and addendum letters from each employer. Full-time means at least 40 hours of service (with a minimum of 32 clinical hours) per week for at least 45 weeks per year. The calculation of full time may also be based on working a minimum of 150 hours of service per month when the individual is working in an Emergency Department setting and/or as a Hospitalist. Furthermore, the applicant must be able to determine that all work locations are in an underserved area using either Option A, Option B, or Option C in Attachment 6.

Attachment 6 – Tool to Identify an Underserved Area

Question 44A: Is there a list of practices that the DANY program recognizes? I work in an underserved clinic (XYZ clinic) and wondering if this clinic qualifies for DANY?

Question 44B: Do you know if any physicians working at XYZ Hospital have been approved for DANY funding? It looks as though the area (13215) would qualify under the same Option C with >17.5% of adults over age 65.

Answer 44(A-B): **The Department does not maintain a list of eligible practice sites.** The SOI requires that applicants utilize Attachment 6 of the SOI to demonstrate that a work location can be identified as being in an underserved area.

Question 45A: I work in the emergency department in a rural area. For Attachment 6, Option A and B are only for general internal medicine, family practice, general pediatrics OB/GYN and adult of child psychiatry. Is Option C the only one I can complete?

- My hospital qualifies for a rural area and so I would be able to fill out option B. My hospital also qualifies for Option A as a HPSA (but not a MUA, MUP or FQHC). But my ER does not qualify for Option C.

Also, for Option C, do I have to select yes for all questions (1-6), or can it just be a few (sic)?

Question 45B: I am an Emergency Medicine physician and wondering if answering "yes" to questions (10-12) can count towards my (6) total questions answered "yes" or if these only count towards primary care doctor's applications.

Question 45C: For Attachment 6, I am filling out Option C as I am a Hospitalist. It doesn't seem like questions (8-12) apply to me. Am I supposed to leave these blank? These seem like questions geared toward primary care physicians.

Answer 45(A-C): Per the SOI Attachment 6, Option C should be completed if 1) a physician cannot complete Options A or B OR 2) the physician is a specialist or

Hospitalist, or the physician is employed in the Emergency Department. Applicants must be able to answer “yes” to any (6) questions and provide the necessary support documentation for those six questions. Not all questions will be relevant for all applicants; however, every question should be answered (Yes/No).

Question 46: I have a question about addendum 6 PART C. I work at XYZ Hospital in Clifton Springs NY. But when I try to get data from US Census Bureau QuickFacts there is no town of Clifton Springs data. There is Ontario County and Manchester Town, Ontario County. Majority of our patients live in Manchester Town and I believe it is a better representation of the patient population that I care for. Can I use Manchester Town data or use both Ontario County and Manchester Town data next to each other in two columns?

Answer 46: Per the SOI, the directions for Attachment 6, Option C states:

- In the search bar where it says “Find Tables, Maps, and more....” enter **New York State** and hit **Enter**
- Click on the “**Pages**” tab
- Click on **US Census Bureau QuickFacts: Fairview CDP, New York**
- In the search bar, enter the following:
 - For Non-NYC statistics enter: the **Town or County** (i.e. Schenectady, NY) for your proposed service area and click on the “**Select a Fact**” **drop-down box** to choose your search criteria

If your town is not listed in the database, applicants should enter the county in which the town resides.

Question 47: If an individual physician works at multiple sites for the organization, do all site addresses need to be used in the application? Do all site addresses need to be used to determine HPSA status?

Answer 47: The individual physician must work full time (as defined in Section II. Minimum Qualifications) in an underserved area. It is not required that a physician’s full-time employment hours be solely at one institution or one site. If the applicant works at more than one site, their cumulative contract hours must equate to a full-time schedule. For Attachment 5, the applicant would need to provide an addendum letter that lists all work sites. For Attachment 6, the applicant must be able to determine that all work locations are an underserved area using either Option A, Option B, or Option C in Attachment 6. Each site must be able to be identified as an underserved area separately.

Question 48: I have a question about Addendum 6 part C question 9. If the answer is NO do I still need to attach patient data? I have 4 months worth of ED patient data in excel form that is likely to be several pages (up to 20 pages). Is this something I need to attach to the application even if the answer is NO. Also should I be blurring out patient information?

Answer 48: An applicant does not need to provide support documentation for any “NO” answers. All information submitted for this application should have identifiable patient information redacted.

Question 49: Can the clinic be open in a medically underserved area not on HRSA map (sic)?

Answer 49: The applicant must refer to Attachment 6 of the SOI to determine if the facility is located in an underserved area. Based on the type of physician working at the health care facility, complete either Option A, Option B or Option C and provide all required support documentation. If the applicant utilizes Option A, then the health care facility can be located in either a HPSA, MUA, MUP or FQHC.

Attachment 7 – Rural Counties and Towns

Question 50: Under Option C, Question #8 of the application: "*8. For rural health providers: the site is in a rural town or county as listed in Attachment 7.*", does Oneida County count as a rural county? It has multiple towns listed within Oneida county but Oneida county itself is not listed as a rural county.

Answer 50: Per the SOI Option C Question #8 directions (and Attachment 6 Option B directions), applicants are directed to circle the rural county or town where the physician will be practicing. If your county is not listed on Attachment 7 in the county section, it cannot be selected.

Question 51: For Attachment 6, I'm unsure which option I qualify for. I am going to be practicing hospital medicine as a general internal medicine physician in a MUA. I'm not clear if that would fall under Option A or C. I seem to qualify for Option A, but Option C specifically states that it is intended for hospitalists or ED physicians. Please advise.

Answer 51: The SOI Attachment 6 states to determine if you are working in an underserved area you must evaluate both 1) what type of physician you are and 2) details about the site where you work.

- Option A is for physicians practicing in General Internal Medicine, Family Practice, General Pediatrics, Geriatrics, OB/GYN or Adult /Child Psychiatry. The site must be identifiable as either being in a HPSA, MUA, MUP or FQHC.
- Option C is for a physician that cannot complete Option A or B OR a physician practicing as a specialist or Hospitalist, or the physician is employed in the Emergency Department. You also must be able to answer “YES” to six questions about the site.

Attachment 12 – Employment Contract Addendum#2, and Exhibit 1

Question 52A: Is Attachment 12 necessary if the Applicant is the Physician?

Question 52B: For Attachment 12, do I need to sign this if I’m an individual applicant?

Question 52C: I am applying as a single physician for assistance with educational debt. After reviewing the attachments, it seems that, I would not need to fill out Attachment 12, is this correct? Are there any other parts of the application that I would not need to fill out?

Answer 52(A-C): As stated on page 10 of the SOI, Attachment 12 is mandatory for health care facility applicants only. If you are an individual physician applicant, you do not need to fill out these forms. Each Attachment in this section details if it is mandatory or not based on the type of applicant.

Question 53: What’s the difference between Attachment 12 and Attachment 5?

Answer 53: As stated on page 10 of the SOI, Attachment 12 is mandatory for health care facility applicants only. If you are an individual physician applicant, you do not need to fill out these forms. Attachment 5 is mandatory for all applicants. Each Attachment requests separate and distinct information.

Question 54: In Attachment 12, there is a line for the facility signature. Can you identify the appropriate signatory by title?

Answer 54: The Attachment 12 facility signature should be an employee with the authority to represent the employer with respect to human resources matters, including Human Resources Director, the Chief Executive Officer or the Chief Operating Officer. A Medical Director is acceptable if they maintain this type of authority for your employer.

DEFAULT PROVISIONS

Question 55: If an applicant were to leave his or her position prior to the first annual payment being made, would there be any penalty due for default?

Answer 55: The default formula is found on Attachment 9 of the SOI. All applicants should enter into the contract with the intent to fulfill the full 3-year contract obligation. If default should occur, the Department will provide individualized calculations on the amounts owed at the time of default.

CONTRACT MODIFICATIONS

Question 56: What would happen to the grant if I get laid off or released from the hospital I register with?

Answer 56: If the DANY grant contract is held by an individual physician, the grant can be put on hold to allow time for the individual physician to find new employment. The new employment contract (and location) must meet all the same requirements under the SOI to be approved. For a request to be considered, the Department must receive the request in writing prior to any action being taken. The decision to permit a change of location will be solely at the discretion of the Department. If the physician makes an unapproved change, the grant may fall into default.

Question 57: If I change hospitals (to another qualifying hospital) before or during the contracted period would this impact my eligibility?

Answer 57: If the DANY grant contract is held by an individual physician, that physician can request a change in employment (or location) during the DANY service obligation period. For a request to be considered, the Department must receive the request in writing at DANY2018@health.ny.gov prior to any action being taken to change employment (or location). The new location must meet all the requirements under the SOI to be approved. The decision to permit a change of location will be solely at the discretion of the Department. If the physician makes an unapproved change, the

grant may fall into default.

If the DANY grant contract is held by a health care facility, a change in location to another site owned by the health care facility is allowed. A change in site to a new or different health care facility is not allowed.

Question 58A: If at any point during the three-year DANY Loan Cycle I go on maternity leave, how would that be factored into my service? Would I only have to delay the period of time that I am on maternity leave, or would I have to delay for a whole year?

Question 58B: Can I go on maternity leave during the time of the grant, as the health care facility still considers me a full-time employee?

Answer 58(A-B): It is the sole discretion of the Department to approve the deferment of a physician's service obligation. A physician wanting to defer their service obligations for reasonable cause should submit a request in writing, in advance, to the Department at DANY2018@health.ny.gov. Examples of reasonable cause may include (but are not limited to) maternity or paternity leave, personal or family illness, military services, etc.

The DANY contract permits a maximum of 35 days away from the work site for any reason per year. Absences beyond the 35-day threshold in any year will result in an equivalent extension of your contractual obligation. You are not required to report days off, such as national holidays for example, if they occurred during weeks in which the physician otherwise physically worked at least 40 hours.

SCHOLARSHIPS & LOAN FORGIVENESS

Question 59: I had a question regarding DANY Cycle X. I am currently under contract with the HRSA loan program for rural providers. I finish my contract end of July 2024. It looks like the start date for DANY this cycle is September 1st. Would I be eligible to apply as long as I did not extend my HRSA contract?

Answer 59: A physician participating in DANY cannot be fulfilling a public or private obligation under any local, state, or federal government loan repayment program (except the Public Service Loan Forgiveness Program) where the obligation period would overlap or coincide with the DANY obligation period. The DANY Cycle X service obligation period starts on September 1, 2024.

Question 60A: I am currently paying my federal loans with intention for 10-year public service loan forgiveness (PSLF). The maximum DANY funding is \$120,000. My loan amount is almost 3x that and will continue to require payments far beyond the 3-year DANY obligation. I will need to keep paying into the PSLF 10-year program. I wanted to make sure that this would be okay and I can still apply for DANY?

Question 60B: I am currently enrolled in PSLF (Public Service Loan Forgiveness), would I have to de-enroll in it to be a part of this program?

Question 60C: Does accepting an award from DANY exclude you from participating in PSLF?

Answer 60(A-C): A physician may participate in DANY and PSLF simultaneously. However awardees are not allowed to hold their DANY award payments in private or business accounts for an extended period of time. All contract disbursements must be applied to the pre-approved outstanding educational debt, or other pre-approved expenses, within a reasonable time frame. If you are not able or willing to apply these funds, you must return all prior disbursements of grant funds not applied to the State. The Department will not be able to disburse any future funds until verifying prior funds that have been received are applied accordingly.

Question 61A: Are individual physician applicants still able to enter federal student loan forgiveness programs after participation (if awarded) in the NYS DANY program?

Question 61B: Does being in the Federal SAVE Income-Based Repayment Program exclude someone from being eligible for a DANY award? I assume from the wording that those enrolled in this are excluded.

If being in the SAVE program does exclude eligibility, can I apply while enrolled in the SAVE program with knowledge that I would have to leave said repayment plan if awarded any DANY funds? I ask this as financially it would be better for me to be a recipient of a DANY award than to be in an income-based repayment program. However, if not awarded any funds, it would logistically very difficult (or impossible) to unenroll in the SAVE program only to re-enroll. I really want to apply for a DANY award as this could financially help me out significantly, any guidance on what I could potentially do would be appreciated.

Answer 61(A-B): Attachment 2 of the SOI states “A physician participating in DANY cannot be fulfilling a public or private obligation under any local, state, or federal government loan repayment program (except the Public Service Loan Forgiveness Program) where the obligation period would overlap or coincide with the DANY

obligation period.” The DANY Cycle X service obligation period starts on September 1, 2024. See chart below of some examples, this list is not exhaustive:

PROGRAM	Can it Coincide/Overlap With DANY?
Public Service Loan Forgiveness (PSLF)	Yes
Employer Sponsored Loan Repayment	Yes
Regents Physician Loan Forgiveness	No
National Health Service Corps	No

The New York State Department of Health cannot advise physicians on “un-enrolling” in other loan forgiveness programs since the Department is not aware of the contract requirements or penalties of other programs.

MISCELLANEOUS QUESTIONS

Question 62: Are the past grant awards public information, and if so, how can the information be accessed?

Answer 62: The following website link can be used to submit a Freedom of Information Request for this desired information: <https://www.health.ny.gov/regulations/foil/>

Question 63: I am a radiologist at XYZ Hospital. It is possible that in 2025 I will move out of New York but continue to read cases from XYZ Hospital remotely. If that were to happen, would I still be satisfying the provisions of the contract? Or must I physically be present at the hospital to qualify?

Answer 63: The services that the physician will provide under the employment contract or business plan must constitute full time clinical practice. This is the equivalence of 40 hours of service with a minimum of 32 clinical hours (excluding teaching or research) per week for at least 45 weeks per year. The calculation of full time may also be based on working a minimum of 150 hours of service per month when the individual is working in an Emergency Department setting and/or as a Hospitalist. The hours of service may not include time spent in “on-call” status except to the extent that the physician is regularly scheduled and providing patient care at the site(s) identified in Attachment 6. A portion of the physician’s time may be spent providing telehealth services that are in compliance with applicable NYS regulations. However, telehealth services must be a component of the physician’s traditional practice and may not account for more than 40% of their overall clinical work hours per week.

Question 64: Do you know approximately when applicants will be notified if they have qualified for or have been chosen to receive the DANY Grant for Cycle 10?

Answer 64: The Department anticipates that awards will be announced in Summer 2024. Awardees will have a DANY contract start date of September 1, 2024.

Question 65: From the wording “100 percent of funding provided under the award must go to the physician”, I interpret to mean whatever amount awarded is free of federal and state tax so that it can be directly put toward student loans. Is this correct?

Answer 65: Funds to support loan repayment under the DANY Physician Loan Repayment and Physician Practice Support programs may be currently exempt from federal and state taxes. Funds used for purposes other than loan repayment in the Physician Practice Support program are currently not tax exempt. If you receive monies for loan repayment, you should not be issued a 1099 statement. Please consult your tax professional for more information about your specific tax situation.

Question 66: If you meet all the requirements for Practice Support, how early can the evaluation begin?

Answer 66: The Department is unable to answer this question because it is unclear what is being asked.

Question 67: In the SOI, pages 2, 4 and 38 note the end date for the contract term as August 30th. Can you confirm the contract dates?

Answer 67: The correct contract term is 9/1/24 – 8/31/27.