

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0308.01 Bob Lackner x4350

HOUSE BILL 16-1142

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HOUSE SPONSORSHIP

Buck and Ginal,

SENATE SPONSORSHIP

Crowder and Cooke,

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House Committees

Public Health Care & Human Services  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A CREDIT AGAINST THE STATE INCOME  
102 TAX FOR RURAL PRIMARY CARE PRECEPTORS TRAINING  
103 STUDENTS MATRICULATING AT COLORADO INSTITUTIONS OF  
104 HIGHER EDUCATION.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

For income tax years commencing on or after January 1, 2017, but prior to January 1, 2020, the bill offers an income tax credit in the amount of \$1,000 to a health care professional who provides a preceptorship

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

during the applicable income tax year. A preceptorship is defined as a mentoring experience in which a preceptor provides a program of personalized instruction, training, and supervision for a total of not less than 4 weeks per calendar year that is offered to an eligible graduate student to enable the student to obtain an eligible professional degree.

The credit is available to a taxpayer who:

! Is licensed to practice one of a number of primary health care fields of medicine; and

! Practiced his or her primary health care field of medicine in a rural or frontier area during the portion of the income tax year for which the preceptor is claiming the tax credit.

The bill caps the number of preceptors that may claim the tax credit for any one income tax year at 300.

The bill specifies the manner in which the taxpayer is required to apply for the credit and procedures to be followed if a preceptor fails to satisfy the requirements of the bill for a particular tax year.

If the amount of the credit allowed exceeds the amount of the income tax otherwise due, the bill allows the balance to be carried forward and applied against the income tax due in each of the 5 succeeding income tax years.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 39-22-538 as  
3 follows:

4 **39-22-538. Credit for health care preceptors working in health**  
5 **professional shortage areas - legislative declaration - definitions -**

6 **repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND  
7 DECLARES THAT:

8 (I) IT IS VITAL TO THE WELL-BEING, QUALITY OF LIFE, AND  
9 ECONOMIC DEVELOPMENT OF THE ENTIRE STATE THAT EXCELLENT HEALTH  
10 CARE BE AVAILABLE IN ALL REGIONS OF THE STATE, INCLUDING RURAL  
11 AND FRONTIER AREAS;

12 (II) RURAL AREAS OF THE STATE CURRENTLY SUFFER FROM A  
13 SHORTAGE OF PRIMARY HEALTH CARE PROVIDERS AND, AS A RESULT,  
14 THESE COMMUNITIES EXPERIENCE REDUCED ACCESS TO SUCH PROVIDERS

1 AND POORER HEALTH CARE OUTCOMES; AND

2 (III) A CONSISTENT PROBLEM IS A LACK OF PROFESSIONAL  
3 INSTRUCTION, TRAINING, AND SUPERVISION IN RURAL AND FRONTIER  
4 AREAS THAT ALLOWS STUDENTS STUDYING PRIMARY CARE TO OBTAIN THE  
5 REQUISITE PROFESSIONAL MENTORING AND SUPERVISION TO ALLOW THEM  
6 TO PRACTICE IN SUCH AREAS UPON OBTAINING A PROFESSIONAL DEGREE.

7 (b) THE GENERAL ASSEMBLY INTENDS THAT THE TAX CREDIT  
8 CREATED IN THIS SECTION IS TO BE USED TO PROVIDE SUFFICIENT  
9 FINANCIAL INCENTIVES TO ENCOURAGE PRECEPTORS TO OFFER  
10 PROFESSIONAL INSTRUCTION, TRAINING, AND SUPERVISION TO STUDENTS  
11 SEEKING CAREERS AS PRIMARY HEALTH CARE PROVIDERS IN RURAL AND  
12 FRONTIER AREAS OF THE STATE.

13 (c) THE GENERAL ASSEMBLY FURTHER INTENDS THAT THE TAX  
14 CREDIT PROVIDE SUFFICIENT FINANCIAL INCENTIVES TO ENCOURAGE  
15 PRECEPTORS TO OFFER PROFESSIONAL INSTRUCTION, TRAINING, AND  
16 SUPERVISION TO STUDENTS MATRICULATING AT COLORADO INSTITUTIONS  
17 OF HIGHER EDUCATION SEEKING CAREERS AS PRIMARY HEALTH CARE  
18 PROVIDERS IN RURAL AND FRONTIER AREAS OF THE STATE.

19 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
20 REQUIRES:

21 (a) "AHEC" OR "AHEC PROGRAM" MEANS THE AREA HEALTH  
22 EDUCATION CENTER.

23 (b) "FRONTIER AREA" MEANS A COUNTY IN THE STATE THAT HAS  
24 A POPULATION DENSITY OF SIX OR FEWER INDIVIDUALS PER ONE SQUARE  
25 MILE.

26 (c) "GRADUATE STUDENT" MEANS AN INDIVIDUAL MATRICULATING  
27 AT THE GRADUATE LEVEL AT ANY ACCREDITED COLORADO INSTITUTION

1 OF HIGHER EDUCATION SEEKING A DEGREE EITHER IN THE AREAS OF  
2 DOCTOR OF MEDICINE, DOCTOR OF OSTEOPATHY, ADVANCED NURSING  
3 PRACTICE, DOCTOR OF DENTAL SURGERY, OR DOCTOR OF DENTAL  
4 MEDICINE, OR AS A PHYSICIAN ASSISTANT.

5 (d) "PRECEPTOR" MEANS A MEDICAL DOCTOR, DOCTOR OF  
6 OSTEOPATHIC MEDICINE, ADVANCED PRACTICE NURSE, PHYSICIAN  
7 ASSISTANT, DOCTOR OF DENTAL SURGERY, OR DOCTOR OF DENTAL  
8 MEDICINE WHO HAS BEEN LICENSED IN HIS OR HER PRIMARY HEALTH CARE  
9 FIELD OF MEDICINE IN THE STATE BY THE APPLICABLE LICENSING  
10 AUTHORITY.

11 (e) "PRECEPTORSHIP" MEANS A MENTORING EXPERIENCE IN WHICH  
12 A PRECEPTOR PROVIDES A PROGRAM OF PERSONALIZED INSTRUCTION,  
13 TRAINING, AND SUPERVISION FOR A TOTAL OF NOT LESS THAN FOUR WEEKS  
14 PER CALENDAR YEAR THAT IS OFFERED TO AN ELIGIBLE GRADUATE  
15 STUDENT TO ENABLE THE STUDENT TO OBTAIN AN ELIGIBLE PROFESSIONAL  
16 DEGREE.

17 (f) "PRIMARY HEALTH CARE" MEANS HEALTH CARE PROVIDED BY  
18 A MEDICAL PROFESSIONAL WITH WHOM A PATIENT HAS INITIAL CONTACT,  
19 WHO IS THE PRINCIPAL POINT OF CONTINUING CARE FOR THE PATIENT, AND  
20 WHO COORDINATES OTHER SPECIALIST CARE THAT THE PATIENT MAY  
21 NEED.

22 (g) "RURAL AREA" MEANS A COUNTY NONMETROPOLITAN AREA IN  
23 THE STATE THAT HAS LESS THAN TWENTY THOUSAND PERMANENT  
24 RESIDENTS OR AS THE TERM MAY BE OTHERWISE DEFINED BY THE FEDERAL  
25 OFFICE OF MANAGEMENT AND BUDGET.

26 (h) "TAXPAYER" MEANS A PRECEPTOR WHO FILES AN INCOME TAX  
27 RETURN UNDER THIS ARTICLE.

1           (3) (a) FOR INCOME TAX YEARS COMMENCING ON OR AFTER  
2 JANUARY 1, 2017, BUT PRIOR TO JANUARY 1, 2020, AND SUBJECT TO THE  
3 REQUIREMENTS OF PARAGRAPH (b) OF THIS SUBSECTION (3), A TAXPAYER  
4 IS ALLOWED A CREDIT AGAINST THE INCOME TAXES IMPOSED BY THIS  
5 ARTICLE IN AN AMOUNT EQUAL TO ONE THOUSAND DOLLARS FOR A  
6 PRECEPTORSHIP PROVIDED BY HIM OR HER DURING THE APPLICABLE  
7 INCOME TAX YEAR FOR WHICH THE CREDIT IS CLAIMED.

8           (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION:

9           (I) THE AGGREGATE AMOUNT OF THE CREDIT AWARDED TO ANY  
10 ONE TAXPAYER UNDER THIS SECTION SHALL NOT EXCEED ONE THOUSAND  
11 DOLLARS FOR ANY ONE INCOME TAX YEAR REGARDLESS OF THE NUMBER  
12 OF PRECEPTORSHIPS UNDERTAKEN BY THE TAXPAYER DURING THE  
13 APPLICABLE INCOME TAX YEAR OR THE NUMBER OF ELIGIBLE GRADUATE  
14 STUDENTS THE TAXPAYER INSTRUCTS, TRAINS, OR SUPERVISES DURING THE  
15 APPLICABLE INCOME TAX YEAR;

16           (II) A TAXPAYER IS ELIGIBLE TO CLAIM THE CREDIT ALLOWED BY  
17 THIS SECTION IF HE OR SHE PERFORMS A PRECEPTORSHIP THAT LASTS A  
18 TOTAL OF NOT LESS THAN FOUR WEEKS DURING THE INCOME TAX YEAR IN  
19 WHICH THE CREDIT IS CLAIMED AND THE PRECEPTOR IS PRACTICING IN HIS  
20 OR HER PRIMARY HEALTH CARE FIELD OF MEDICINE IN A RURAL OR  
21 FRONTIER AREA; AND

22           (III) NOT MORE THAN THREE HUNDRED PRECEPTORS ARE ENTITLED  
23 TO CLAIM THE CREDIT AUTHORIZED BY THIS SECTION FOR ANY ONE INCOME  
24 TAX YEAR. THE DEPARTMENT SHALL PROMULGATE BY RULE, IN  
25 ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., A METHOD FOR  
26 DETERMINING THE MANNER IN WHICH TAXPAYERS WHO HAVE OBTAINED  
27 CERTIFICATION UNDER SUBSECTION (4) OF THIS SECTION ARE ABLE TO

1 CLAIM THE TAX CREDIT.

2 (4) TO QUALIFY FOR THE CREDIT PROVIDED BY THIS SECTION, THE  
3 TAXPAYER SHALL SUBMIT A CERTIFICATION FORM WITH EACH INCOME TAX  
4 RETURN. CERTIFICATION MAY BE PROVIDED BY EITHER THE INSTITUTION  
5 FOR WHICH THE TAXPAYER TEACHES, WHETHER IT IS AN INSTITUTION OF  
6 HIGHER EDUCATION OR A HOSPITAL, CLINIC, OR OTHER MEDICAL FACILITY,  
7 OR BY THE PARTICULAR REGIONAL OFFICE OF THE AHEC PROGRAM WITH  
8 JURISDICTION OVER THE AREA IN WHICH THE PRECEPTOR'S MEDICAL  
9 PRACTICE IS LOCATED. IN THE CASE OF CERTIFICATION BY AN INSTITUTION  
10 FOR WHICH THE TAXPAYER TEACHES, THE INSTITUTION MUST EXECUTE THE  
11 FORM CERTIFYING THAT THE TAXPAYER HAS SATISFIED THE  
12 REQUIREMENTS FOR ALLOWANCE OF THE TAX CREDIT AS SPECIFIED IN THIS  
13 SECTION. IN THE CASE OF CERTIFICATION BY THE AHEC PROGRAM, THE  
14 CERTIFICATION FORM MUST BE OBTAINED FROM THE PARTICULAR  
15 REGIONAL OFFICE OF THE AHEC PROGRAM WITH JURISDICTION OVER THE  
16 AREA IN WHICH THE PRECEPTOR IS PRACTICING, WHICH OFFICE SHALL  
17 CERTIFY THAT THE TAXPAYER HAS SATISFIED THE REQUIREMENTS FOR  
18 ALLOWANCE OF THE TAX CREDIT AS SPECIFIED IN THIS SECTION. THE  
19 AHEC PROGRAM MAY CHARGE THE TAXPAYER A REASONABLE FEE FOR  
20 PROVIDING SUCH CERTIFICATION, WHICH FEE SHALL NOT EXCEED THE  
21 ACTUAL COSTS INCURRED BY THE AHEC IN COMPLETING THE  
22 CERTIFICATION.

23 (5) WHERE A TAXPAYER CLAIMS THE CREDIT PROVIDED BY THIS  
24 SECTION BUT FAILS TO SATISFY THE REQUIREMENTS OF THIS SECTION  
25 DURING THE INCOME TAX YEAR FOR WHICH THE CREDIT IS CLAIMED, THE  
26 TAXPAYER SHALL REPAY THE ENTIRE AMOUNT OF THE TOTAL CREDIT THAT  
27 IS ATTRIBUTED TO HIM OR HER PURSUANT TO THIS SECTION. THE

1 TAXPAYER SHALL REPORT THE RECAPTURE REQUIRED BY THIS SUBSECTION  
2 (5) BY INCREASING HIS OR HER INCOME TAX LIABILITY BY THE AMOUNT OF  
3 THE TOTAL CREDIT CLAIMED FOR THE YEAR IN WHICH THE RECAPTURE  
4 OCCURS.

5 (6) IF THE AMOUNT OF THE CREDIT ALLOWED PURSUANT TO THIS  
6 SECTION EXCEEDS THE AMOUNT OF THE INCOME TAX OTHERWISE DUE ON  
7 THE TAXPAYER'S INCOME IN THE INCOME TAX YEAR FOR WHICH THE  
8 CREDIT IS BEING CLAIMED, THE AMOUNT OF THE CREDIT NOT USED AS AN  
9 OFFSET AGAINST INCOME TAXES IN THE INCOME TAX YEAR IS NOT  
10 ALLOWED AS A REFUND BUT MAY BE CARRIED FORWARD AND APPLIED  
11 AGAINST THE INCOME TAX DUE IN EACH OF THE FIVE SUCCEEDING INCOME  
12 TAX YEARS, BUT MUST FIRST BE APPLIED AGAINST THE INCOME TAX DUE  
13 FOR THE EARLIEST OF THE INCOME TAX YEARS POSSIBLE.

14 (7) NOTHING IN THIS SECTION MODIFIES OR CHANGES THE  
15 DEFINITION OF "PUBLIC EMPLOYEE" SPECIFIED IN SECTION 24-10-103 (4)  
16 (b) (II) AND (4) (b) (V), C.R.S.

17 (8) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

18 **SECTION 2. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly (August  
21 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a  
22 referendum petition is filed pursuant to section 1 (3) of article V of the  
23 state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part will not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2016 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.