

HOUSE**AMENDMENT NO. _____****Offered by _____****of _____**

1 AMEND House Committee Substitute for Senate Committee Substitute
2 for Senate Bill No. 29, Page 27, Section 334.715, Line 63, by
3 inserting after all of said line the following:

4 "335.036. 1. The board shall:

5 (1) Elect for a one-year term a president and a secretary,
6 who shall also be treasurer, and the board may appoint, employ
7 and fix the compensation of a legal counsel and such board
8 personnel as defined in subdivision (4) of subsection 10 of
9 section 324.001 as are necessary to administer the provisions of
10 sections 335.011 to 335.096;

11 (2) Adopt and revise such rules and regulations as may be
12 necessary to enable it to carry into effect the provisions of
13 sections 335.011 to 335.096;

14 (3) Prescribe minimum standards for educational programs
15 preparing persons for licensure pursuant to the provisions of
16 sections 335.011 to 335.096;

17 (4) Provide for surveys of such programs every five years
18 and in addition at such times as it may deem necessary;

19 (5) Designate as "approved" such programs as meet the
20 requirements of sections 335.011 to 335.096 and the rules and
21 regulations enacted pursuant to such sections; and the board
22 shall annually publish a list of such programs;

23 (6) Deny or withdraw approval from educational programs for
24 failure to meet prescribed minimum standards;

25 (7) Examine, license, and cause to be renewed the licenses
26 of duly qualified applicants;

27 (8) Cause the prosecution of all persons violating
28 provisions of sections 335.011 to 335.096, and may incur such
29 necessary expenses therefor;

Action Taken _____ Date _____

1 (9) Keep a record of all the proceedings; and make an
2 annual report to the governor and to the director of the
3 department of insurance, financial institutions and professional
4 registration;

5 (10) Establish an impaired nurse program.

6 2. The board shall set the amount of the fees which this
7 chapter authorizes and requires by rules and regulations. The
8 fees shall be set at a level to produce revenue which shall not
9 substantially exceed the cost and expense of administering this
10 chapter.

11 3. All fees received by the board pursuant to the
12 provisions of sections 335.011 to 335.096 shall be deposited in
13 the state treasury and be placed to the credit of the state board
14 of nursing fund. All administrative costs and expenses of the
15 board shall be paid from appropriations made for those purposes.
16 The board is authorized to provide funding for the nursing
17 education incentive program established in sections 335.200 to
18 335.203.

19 4. The provisions of section 33.080 to the contrary
20 notwithstanding, money in this fund shall not be transferred and
21 placed to the credit of general revenue until the amount in the
22 fund at the end of the biennium exceeds two times the amount of
23 the appropriation from the board's funds for the preceding fiscal
24 year or, if the board requires by rule, permit renewal less
25 frequently than yearly, then three times the appropriation from
26 the board's funds for the preceding fiscal year. The amount, if
27 any, in the fund which shall lapse is that amount in the fund
28 which exceeds the appropriate multiple of the appropriations from
29 the board's funds for the preceding fiscal year.

30 5. Any rule or portion of a rule, as that term is defined
31 in section 536.010, that is created under the authority delegated
32 in this chapter shall become effective only if it complies with
33 and is subject to all of the provisions of chapter 536 and, if
34 applicable, section 536.028. All rulemaking authority delegated
35 prior to August 28, 1999, is of no force and effect and repealed.
36 Nothing in this section shall be interpreted to repeal or affect
37 the validity of any rule filed or adopted prior to August 28,

1 1999, if it fully complied with all applicable provisions of law.
2 This section and chapter 536 are nonseverable and if any of the
3 powers vested with the general assembly pursuant to chapter 536
4 to review, to delay the effective date or to disapprove and annul
5 a rule are subsequently held unconstitutional, then the grant of
6 rulemaking authority and any rule proposed or adopted after
7 August 28, 1999, shall be invalid and void.

8 335.200. As used in sections 335.200 to ~~[335.209]~~ 335.203,
9 the following terms mean:

10 (1) "Board", the ~~[Missouri coordinating board for higher~~
11 education] state board of nursing;

12 (2) "Department", the Missouri department of higher
13 education;

14 (3) "Eligible [nursing program] institution of higher
15 education", a Missouri institution of higher education accredited
16 by the higher learning commission of the north central
17 association which offers a nursing education program ~~[accredited~~
18 ~~under this chapter]~~;

19 ~~[(3) "Fund", the nurse training incentive fund, established~~
20 ~~in section 335.203;]~~

21 (4) ~~"[Incentive] Grant", a grant awarded to [a nurse~~
22 ~~education program]~~ an eligible institution of higher education
23 under the guidelines set forth in sections 335.200 to 335.203 ~~[to~~
24 ~~335.209;~~

25 (5) "Nontraditional student", a person admitted to an
26 eligible nursing program that is older than twenty-two years of
27 age at the time he is admitted to the nursing program;

28 (6) "Nurse", a person holding a license as a registered
29 nurse, pursuant to this chapter; and

30 (7) "Professional nursing education program", a program of
31 education accredited by the state board of nursing, pursuant to
32 this chapter, designed to prepare persons for licensure as
33 registered professional nurses with an enrollment of no less than
34 sixty-five percent of the enrollment approved by the state board
35 of nursing].

36 335.203. ~~[The "Nurse Training Incentive Fund" is hereby~~

1 established in the state treasury. The fund shall be
2 administered by the coordinating board for higher education. The
3 board shall base its appropriation request on enrollment,
4 graduation and licensure figures for the previous year. The
5 board may accept funds from private, federal and other sources
6 for the purposes of sections 335.200 to 335.209. All
7 appropriations, private donations, and other funds provided to
8 the board for the implementation of sections 335.200 to 335.209
9 shall be placed in the nurse training incentive fund.

10 Notwithstanding the provisions of section 33.080 to the contrary,
11 funds in the nurse training incentive fund shall not revert to
12 the general revenue fund. Interest accruing to the fund shall be
13 part of the fund. Grants provided pursuant to section 335.206
14 shall be made within the amounts appropriated therefor.] 1.

15 There is hereby established the "Nursing Education Incentive
16 Program" within the department of higher education.

17 2. Subject to appropriation, grants shall be awarded
18 through the nursing education incentive program to eligible
19 institutions of higher education based on criteria jointly
20 determined by the board and the department. Grant award amounts
21 shall not exceed one hundred fifty thousand dollars. No campus
22 shall receive more than one grant per year.

23 3. To be considered for a grant, an eligible institution of
24 higher education shall offer a program of nursing that meets the
25 predetermined category and area of need as established by the
26 board and the department under subsection 4 of this section.

27 4. The board and the department shall determine categories
28 and areas of need for designating grants to eligible institutions
29 of higher education. In establishing categories and areas of
30 need, the board and department may consider criteria including,
31 but not limited to:

32 (1) Data generated from licensure renewal data and the
33 department of health and senior services; and

34 (2) National nursing statistical data and trends that have
35 identified nursing shortages.

36 5. The department shall be the administrative agency
37 responsible for implementation of the program established under

1 sections 335.200 to 335.203, and shall promulgate reasonable
2 rules for the exercise of its functions and the effectuation of
3 the purposes of sections 335.200 to 335.203. The department
4 shall, by rule, prescribe the form, time, and method of filing
5 applications and shall supervise the processing of such
6 applications.

7 6. Any rule or portion of a rule, as that term is defined
8 in section 536.010, that is created under the authority delegated
9 in this section shall become effective only if it complies with
10 and is subject to all of the provisions of chapter 536 and, if
11 applicable, section 536.028. This section and chapter 536 are
12 nonseverable and if any of the powers vested with the general
13 assembly pursuant to chapter 536 to review, to delay the
14 effective date, or to disapprove and annul a rule are
15 subsequently held unconstitutional, then the grant of rulemaking
16 authority and any rule proposed or adopted after August 28, 2011,
17 shall be invalid and void."; and

18 Further amend said bill, Page 43, Section 621.110, Line 22,
19 by inserting after all of said line the following:

20 "[335.206. 1. The nurse training incentive fund
21 shall, upon appropriation, be used to provide incentive
22 grants to eligible nursing programs which increase
23 enrollment. Grants shall not be awarded to classes
24 begun on or after July 1, 1996.

25 2. Grants shall be awarded to eligible nursing
26 programs which increase enrollment pursuant to
27 subsection 3 of this section. Eligible programs
28 receiving grants provided under sections 335.200 to
29 335.209 shall monitor the enrollment of nontraditional
30 students in their program and shall annually report to
31 the board the number of nontraditional students
32 enrolled therein. It shall be the intent of sections
33 335.200 to 335.209 to encourage the enrollment and
34 graduation of nontraditional students in nursing
35 education programs.

36 3. Incentive grants shall be awarded to
37 professional nurse education programs, as follows:

38 (1) A grant of eight thousand dollars for each
39 entering class of ten students by which the program
40 increases its enrollment over the number of entering
41 students admitted in the fall of 1989; and

42 (2) A grant of four hundred dollars for each

1 student from each entering class cited in subdivision
2 (1) of this section by which the program increases its
3 number of graduates over the number of students
4 graduated in the preceding year; or

5 (3) Beginning with the first graduating class of
6 the classes which enter and are enrolled after August
7 28, 1990, a grant of four hundred dollars for each
8 student by which the program increases its number of
9 graduates over the number of graduates of the preceding
10 year, if the program is not otherwise qualified to
11 receive the grant provided pursuant to subdivision (1)
12 of this section.]

13
14 [335.209. No rule or portion of a rule
15 promulgated under the authority of sections 335.200 to
16 335.209 shall become effective unless it has been
17 promulgated pursuant to the provisions of section
18 536.024.]; and

19 Further amend said title, enacting clause and intersectional
20 references accordingly.