

**HOUSE****AMENDMENT NO. \_\_\_\_****Offered by****of**

1 AMEND House Committee Substitute for Senate Bill No. 325, Page 8,  
 2 Section 333.171, Line 7, by inserting after all of said line the  
 3 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;

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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."; and

8 Further amend said bill, Page 8, Section 335.099, Line 9, by  
9 inserting after all of said line the following:

10 "335.200. As used in sections 335.200 to ~~[335.209]~~ 335.203,  
11 the following terms mean:

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

14 (2) "Department", the Missouri department of higher  
15 education;

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

21 [(3) "Fund", the nurse training incentive fund, established  
22 in section 335.203;]

23 (4) "[Incentive] Grant", a grant awarded to [a nurse  
24 education program] an eligible institution of higher education  
25 under the guidelines set forth in sections 335.200 to 335.203 [to  
26 335.209;

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

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

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

1 of nursing].

2 335.203. [The "Nurse Training Incentive Fund" is hereby  
3 established in the state treasury. The fund shall be  
4 administered by the coordinating board for higher education. The  
5 board shall base its appropriation request on enrollment,  
6 graduation and licensure figures for the previous year. The  
7 board may accept funds from private, federal and other sources  
8 for the purposes of sections 335.200 to 335.209. All  
9 appropriations, private donations, and other funds provided to  
10 the board for the implementation of sections 335.200 to 335.209  
11 shall be placed in the nurse training incentive fund.  
12 Notwithstanding the provisions of section 33.080 to the contrary,  
13 funds in the nurse training incentive fund shall not revert to  
14 the general revenue fund. Interest accruing to the fund shall be  
15 part of the fund. Grants provided pursuant to section 335.206  
16 shall be made within the amounts appropriated therefor.] 1.

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

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

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

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

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

36 (2) National nursing statistical data and trends that have  
37 identified nursing shortages.

1       5. The department shall be the administrative agency  
2 responsible for implementation of the program established under  
3 sections 335.200 to 335.203, and shall promulgate reasonable  
4 rules for the exercise of its functions and the effectuation of  
5 the purposes of sections 335.200 to 335.203. The department  
6 shall, by rule, prescribe the form, time, and method of filing  
7 applications and shall supervise the processing of such  
8 applications.

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

20       Further amend said bill, Page 21, Section 516.098, Line 6,  
21 by inserting after all of said line the following:

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

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

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

40       (1) A grant of eight thousand dollars for each  
41 entering class of ten students by which the program  
42 increases its enrollment over the number of entering

1 students admitted in the fall of 1989; and

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

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

15  
16 [335.209. No rule or portion of a rule  
17 promulgated under the authority of sections 335.200 to  
18 335.209 shall become effective unless it has been  
19 promulgated pursuant to the provisions of section  
20 536.024.]; and

21 Further amend said title, enacting clause and intersectional  
22 references accordingly.