

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By _____

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Substitute for
2 Senate Committee Substitute for Senate Bill No. 106, Page 6, Line 2, by inserting after all of said
3 line the following:

4
5 "Further amend said bill, Page 3, Section 191.240, Line 23, by inserting after all of said section and
6 line the following:

7
8 "191.430. 1. There is hereby established within the department of health and senior services
9 the "Health Professional Loan Repayment Program" to provide forgivable loans for the purpose of
10 repaying existing loans related to applicable educational expenses for health care, mental health, and
11 public health professionals. The department of health and senior services shall be the administrative
12 agency for the implementation of the program established by this section.

13 2. The department of health and senior services shall prescribe the form and the time and
14 method of filing applications and supervise the processing, including oversight and monitoring of
15 the program, and shall promulgate rules to implement the provisions of sections 191.430 to 191.450.
16 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
17 authority delegated in this section shall become effective only if it complies with and is subject to all
18 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
19 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536
20 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
21 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
22 August 28, 2023, shall be invalid and void.

23 3. The director of the department of health and senior services shall have the discretion to
24 determine the health professionals and practitioners who will receive forgivable health professional
25 loans from the department to pay their existing loans. The director shall make such determinations
26 each fiscal year based on evidence associated with the greatest needs in the best interests of the
27 public. The health care, mental health, and public health professionals or disciplines funded in any
28 given year shall be contingent upon consultation with the office of workforce development in the

Action Taken _____ Date _____

1 department of higher education and workforce development and the department of mental health, or
2 their successor agencies.

3 4. The department of health and senior services shall enter into a contract with each selected
4 applicant who receives a health professional loan under this section. Each selected applicant shall
5 apply the loan award to his or her educational debt. The contract shall detail the methods of
6 forgiveness associated with a service obligation and the terms associated with the principal and
7 interest accruing on the loan at the time of the award. The contract shall contain details concerning
8 how forgiveness is earned, including when partial forgiveness is earned through a service obligation,
9 and the terms and conditions associated with repayment of the loans for any obligation not served.

10 5. All health professional loans shall be made from funds appropriated by the general
11 assembly to the health professional loan incentive fund established in section 191.445.

12 191.435. The department of health and senior services shall designate counties,
13 communities, or sections of areas in the state as areas of defined need for health care, mental health,
14 and public health services. If a county, community, or section of an area has been designated or
15 determined as a professional shortage area, a shortage area, or a health care, mental health, or public
16 health professional shortage area by the federal Department of Health and Human Services or its
17 successor agency, the department of health and senior services shall designate it as an area of
18 defined need under this section. If the director of the department of health and senior services
19 determines that a county, community, or section of an area has an extraordinary need for health care
20 professional services without a corresponding supply of such professionals, the department of health
21 and senior services may designate it as an area of defined need under this section.

22 191.440. 1. The department of health and senior services shall enter into a contract with
23 each individual qualifying for a forgivable loan under sections 191.430 to 191.450. The written
24 contract between the department and the individual shall contain, but not be limited to, the
25 following:

26 (1) An agreement that the state agrees to award a loan and the individual agrees to serve for
27 a period equal to two years, or a longer period as the individual may agree to, in an area of defined
28 need as designated by the department, with such service period to begin on the date identified on the
29 signed contract;

30 (2) A provision that any financial obligations arising out of a contract entered into and any
31 obligation of the individual that is conditioned thereon is contingent upon funds being appropriated
32 for loans;

33 (3) The area of defined need where the person will practice;

34 (4) A statement of the damages to which the state is entitled for the individual's breach of
35 the contract; and

36 (5) Such other statements of the rights and liabilities of the department and of the individual
37 not inconsistent with sections 191.430 to 191.450.

38 2. The department of health and senior services may stipulate specific practice sites,
39 contingent upon department-generated health care, mental health, and public health professional

1 need priorities, where applicants shall agree to practice for the duration of their participation in the
 2 program.

3 191.445. There is hereby created in the state treasury the "Health Professional Loan
 4 Incentive Fund", which shall consist of any appropriations made by the general assembly, all funds
 5 recovered from an individual under section 191.450, and all funds generated by loan repayments
 6 received under sections 191.430 to 191.450. The state treasurer shall be custodian of the fund. In
 7 accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The
 8 fund shall be a dedicated fund and, upon appropriation, moneys in this fund shall be used solely by
 9 the department of health and senior services to provide loans under sections 191.430 to 191.450.
 10 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund
 11 at the end of the biennium shall not revert to the credit of the general revenue fund. The state
 12 treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any
 13 interest and moneys earned on such investments shall be credited to the fund.

14 191.450. 1. An individual who enters into a written contract with the department of health
 15 and senior services, as described in section 191.440, and who fails to maintain an acceptable
 16 employment status shall be liable to the state for any amount awarded as a loan by the department
 17 directly to the individual who entered into the contract that has not yet been forgiven.

18 2. An individual fails to maintain an acceptable employment status under this section when
 19 the contracted individual involuntarily or voluntarily terminates qualifying employment, is
 20 dismissed from such employment before completion of the contractual service obligation within the
 21 specific time frame outlined in the contract, or fails to respond to requests made by the department.

22 3. If an individual breaches the written contract of the individual by failing to begin or
 23 complete such individual's service obligation, the state shall be entitled to recover from the
 24 individual an amount equal to the sum of:

25 (1) The total amount of the loan awarded by the department or, if the department had
 26 already awarded partial forgiveness at the time of the breach, the amount of the loan not yet
 27 forgiven;

28 (2) The interest on the amount that would be payable if at the time the loan was awarded it
 29 was a loan bearing interest at the maximum prevailing rate as determined by the Treasurer of the
 30 United States;

31 (3) An amount equal to any damages incurred by the department as a result of the breach;
 32 and

33 (4) Any legal fees or associated costs incurred by the department or the state of Missouri in
 34 the collection of damages.

35 191.592. 1. For purposes of this section, the following terms mean:

36 (1) "Department", the department of health and senior services;

37 (2) "Eligible entity", an entity that operates a physician medical residency program in this
 38 state and that is accredited by the Accreditation Council for Graduate Medical Education;

(3) "General primary care and psychiatry", family medicine, general internal medicine, general pediatrics, internal medicine-pediatrics, general obstetrics and gynecology, or general psychiatry;

(4) "Grant-funded residency position", a position that is accredited by the Accreditation Council for Graduate Medical Education, that is established as a result of funding awarded to an eligible entity for the purpose of establishing an additional medical resident position beyond the currently existing medical resident positions, and that is within the fields of general primary care and psychiatry. Such position shall end when the medical residency funding under this section is completed or when the resident in the medical grant-funded residency position is no longer employed by the eligible entity, whichever is earlier;

(5) "Participating medical resident", an individual who is a medical school graduate with a doctor of medicine degree or doctor of osteopathic medicine degree, who is participating in a postgraduate training program at an eligible entity, and who is filling a grant-funded residency position.

2. (1) Subject to appropriation, the department shall establish a medical residency grant program to award grants to eligible entities for the purpose of establishing and funding new general primary care and psychiatry medical residency positions in this state and continuing the funding of such new residency positions for the duration of the funded residency.

(2) (a) Funding shall be available for three years for residency positions in family medicine, general internal medicine, and general pediatrics.

(b) Funding shall be available for four years for residency positions in general obstetrics and gynecology, internal medicine-pediatrics, and general psychiatry.

3. (1) There is hereby created in the state treasury the "Medical Residency Grant Program Fund". Moneys in the fund shall be used to implement and fund grants to eligible entities.

(2) The medical residency grant program fund shall include funds appropriated by the general assembly, reimbursements from awarded eligible entities who were not able to fill the residency position or positions with an individual medical resident or residents, and any gifts, contributions, grants, or bequests received from federal, private, or other sources.

(3) The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided in this section.

(4) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(5) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. Subject to appropriation, the department shall expend moneys in the medical residency grant program fund in the following order:

(1) Necessary costs of the department to implement this section;

(2) Funding of grant-funded residency positions of individuals in the fourth year of their residency, as applicable to residents in general obstetrics and gynecology, internal medicine-pediatrics, and general psychiatry;

(3) Funding of grant-funded residency positions of individuals in the third year of their residency;

(4) Funding of grant-funded residency positions of individuals in the second year of their residency;

(5) Funding of grant-funded residency positions of individuals in the first year of their residency; and

(6) The establishment of new grant-funded residency positions at awarded eligible entities.

5. The department shall establish criteria to evaluate which eligible entities shall be awarded grants for new grant-funded residency positions, criteria for determining the amount and duration of grants, the contents of the grant application, procedures and timelines by which eligible entities may apply for grants, and all other rules needed to implement the purposes of this section. Such criteria shall include a preference for eligible entities located in areas of highest need for general primary care and psychiatric care physicians, as determined by the health professional shortage area score.

6. Eligible entities that receive grants under this section shall:

(1) Agree to supplement awarded funds under this section, if necessary, to establish or maintain a grant-funded residency position for the duration of the funded resident's medical residency; and

(2) Agree to abide by other requirements imposed by rule.

7. Annual funding per participating medical resident shall be limited to:

(1) Direct graduate medical education costs including, but not limited to:

(a) Salaries and benefits for residents, faculty, and program staff;

(b) Malpractice insurance, licenses, and other required fees; and

(c) Program administration and educational materials; and

(2) Indirect costs of graduate medical education necessary to meet the standards of the Accreditation Council for Graduate Medical Education.

8. No new grant-funded residency positions under this section shall be established after the tenth fiscal year in which grants are awarded. However, any residency positions funded under this section may continue to be funded until the completion of the resident's medical residency.

9. The department shall submit an annual report to the general assembly regarding the implementation of the program developed under this section.

10. The department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and

annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

11. The provisions of this section shall expire on January 1, 2038.

191.600. 1. Sections 191.600 to 191.615 establish a loan repayment program for graduates of approved medical schools, schools of osteopathic medicine, schools of dentistry and accredited chiropractic colleges who practice in areas of defined need and shall be known as the "Health Professional Student Loan Repayment Program". Sections 191.600 to 191.615 shall apply to graduates of accredited chiropractic colleges when federal guidelines for chiropractic shortage areas are developed.

2. The "Health Professional Student Loan and Loan Repayment Program Fund" is hereby created in the state treasury. All funds recovered from an individual pursuant to section 191.614 and all funds generated by loan repayments and penalties received pursuant to section 191.540 shall be credited to the fund. The moneys in the fund shall be used by the department of health and senior services to provide loan repayments pursuant to section 191.611 in accordance with sections 191.600 to 191.614 ~~[and to provide loans pursuant to sections 191.500 to 191.550]~~.

191.828. 1. The following departments shall conduct on-going evaluations of the effect of the initiatives enacted by the following sections:

(1) The department of commerce and insurance shall evaluate the effect of revising section 376.782 and sections 143.999, 208.178, 374.126, and 376.891 to 376.894;

(2) The department of health and senior services shall evaluate the effect of revising sections 105.711 and ~~[sections 191.520 and]~~ 191.600 and enacting section 191.411, and sections 167.600 to 167.621, 191.231, 208.177, 431.064, and 660.016. In collaboration with the state board of registration for the healing arts, the state board of nursing, and the state board of pharmacy, the department of health and senior services shall also evaluate the effect of revising section 195.070, section 334.100, and section 335.016, and of sections 334.104 and 334.112, and section 338.095 and 338.198;

(3) The department of social services shall evaluate the effect of revising section 198.090, and sections 208.151, 208.152 and 208.215, and section 383.125, and of sections 167.600 to 167.621, 208.177, 208.178, 208.179, 208.181, and 211.490;

(4) The office of administration shall evaluate the effect of revising sections 105.711 and 105.721;

(5) The Missouri consolidated health care plan shall evaluate the effect of section 103.178; and

(6) The department of mental health shall evaluate the effect of section 191.831 as it relates to substance abuse treatment and of section 191.835.

2. The department of revenue and office of administration shall make biannual reports to the general assembly and the governor concerning the income received into the health initiatives fund and the level of funding required to operate the programs and initiatives funded by the health initiatives fund at an optimal level.

191.831. 1. There is hereby established in the state treasury a "Health Initiatives Fund", to which shall be deposited all revenues designated for the fund under subsection 8 of section 149.015, and subsection 3 of section 149.160, and section 167.609, and all other funds donated to the fund or otherwise deposited pursuant to law. The state treasurer shall administer the fund. Money in the fund shall be appropriated to provide funding for implementing the new programs and initiatives established by sections 105.711 and 105.721. The moneys in the fund may further be used to fund those programs established by sections 191.411~~[-191.520]~~ and 191.600, sections 208.151 and 208.152, and sections 103.178, 143.999, 167.600 to 167.621, 188.230, 191.211, 191.231, 191.825 to 191.839, 192.013, 208.177, 208.178, 208.179 and 208.181, 211.490, 285.240, 337.093, 374.126, 376.891 to 376.894, 431.064, 660.016, 660.017 and 660.018; in addition, not less than fifteen percent of the proceeds deposited to the health initiative fund pursuant to sections 149.015 and 149.160 shall be appropriated annually to provide funding for the C-STAR substance abuse rehabilitation program of the department of mental health, or its successor program, and a C-STAR pilot project developed by the director of the division of alcohol and drug abuse and the director of the department of corrections as an alternative to incarceration, as provided in subsections 2, 3, and 4 of this section. Such pilot project shall be known as the "Alt-care" program. In addition, some of the proceeds deposited to the health initiatives fund pursuant to sections 149.015 and 149.160 shall be appropriated annually to the division of alcohol and drug abuse of the department of mental health to be used for the administration and oversight of the substance abuse traffic ~~[offenders]~~ offender program defined in section 302.010 ~~[and section 577.001]~~. The provisions of section 33.080 to the contrary notwithstanding, money in the health initiatives fund shall not be transferred at the close of the biennium to the general revenue fund.

2. The director of the division of alcohol and drug abuse and the director of the department of corrections shall develop and administer a pilot project to provide a comprehensive substance abuse treatment and rehabilitation program as an alternative to incarceration, hereinafter referred to as "Alt-care". Alt-care shall be funded using money provided under subsection 1 of this section through the Missouri Medicaid program, the C-STAR program of the department of mental health, and the division of alcohol and drug abuse's purchase-of-service system. Alt-care shall offer a flexible combination of clinical services and living arrangements individually adapted to each client and her children. Alt-care shall consist of the following components:

- (1) Assessment and treatment planning;
- (2) Community support to provide continuity, monitoring of progress and access to services and resources;
- (3) Counseling from individual to family therapy;
- (4) Day treatment services which include accessibility seven days per week, transportation to and from the Alt-care program, weekly drug testing, leisure activities, weekly events for families and companions, job and education preparedness training, peer support and self-help and daily living skills; and

1 (5) Living arrangement options which are permanent, substance-free and conducive to
2 treatment and recovery.

3 3. Any female who is pregnant or is the custodial parent of a child or children under the age
4 of twelve years, and who has pleaded guilty to or found guilty of violating the provisions of chapter
5 195, and whose controlled substance abuse was a precipitating or contributing factor in the
6 commission of the offense, and who is placed on probation may be required, as a condition of
7 probation, to participate in Alt-care, if space is available in the pilot project area. Determinations of
8 eligibility for the program, placement, and continued participation shall be made by the division of
9 alcohol and drug abuse, in consultation with the department of corrections.

10 4. The availability of space in Alt-care shall be determined by the director of the division of
11 alcohol and drug abuse in conjunction with the director of the department of corrections. If the
12 sentencing court is advised that there is no space available, the court shall consider other authorized
13 dispositions."; and"; and
14

15 Further amend said amendment, Page 7, Line 15, by deleting said line and inserting in lieu thereof
16 the following:
17

18 "legal guardian's child's records.

19 335.203. 1. There is hereby established the "Nursing Education Incentive Program" within
20 the state board of nursing.

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

26 3. To be considered for a grant, an eligible institution of higher education shall offer a
27 program of nursing that meets the 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 and areas of need for
30 designating grants to eligible institutions of higher education. In establishing categories and areas of
31 need, the board and department may consider criteria including, but not limited to:

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

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

35 5. The board shall be the administrative agency responsible for implementation of the
36 program established under sections 335.200 to 335.203, and shall promulgate reasonable rules for
37 the exercise of its functions and the effectuation of the purposes of sections 335.200 to 335.203.
38 The board shall, by rule, prescribe the form, time, and method of filing applications and shall
39 supervise the processing of such applications.

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

335.205. The board, in addition to any other duties it may have regarding licensure of nurses, shall collect, at the time of any initial license application or license renewal application, a nursing education incentive program surcharge from each person licensed or relicensed under chapter 335, in the amount of one dollar per year for practical nurses and five dollars per year for registered professional nurses. These funds shall be deposited in the state board of nursing fund described in section 335.036."; and"; and

Further amend said amendment and page, Line 21, by inserting after all of said line the following:

"Further amend said bill, Page 52, Section 701.348, Line 5, by inserting after all of said section and line the following:

~~"[191.500. As used in sections 191.500 to 191.550, unless the context clearly indicates otherwise, the following terms mean:~~

~~(1) "Area of defined need", a community or section of an urban area of this state which is certified by the department of health and senior services as being in need of the services of a physician to improve the patient-doctor ratio in the area, to contribute professional physician services to an area of economic impact, or to contribute professional physician services to an area suffering from the effects of a natural disaster;~~

~~(2) "Department", the department of health and senior services;~~

~~(3) "Eligible student", a full-time student accepted and enrolled in a formal course of instruction leading to a degree of doctor of medicine or doctor of osteopathy, including psychiatry, at a participating school, or a doctor of dental surgery, doctor of dental medicine, or a bachelor of science degree in dental hygiene;~~

~~(4) "Financial assistance", an amount of money paid by the state of Missouri to a qualified applicant pursuant to sections 191.500 to 191.550;~~

~~(5) "Participating school", an institution of higher learning within this state which grants the degrees of doctor of medicine or doctor of osteopathy, and which is accredited in the appropriate degree program by the American Medical Association or the American Osteopathic Association, or a degree program by the American Dental Association or the American Psychiatric Association, and applicable residency programs for each degree type and discipline;~~

~~(6) "Primary care", general or family practice, internal medicine, pediatric, psychiatric, obstetric and gynecological care as provided to the general public by~~

1 physicians licensed and registered pursuant to chapter 334, dental practice, or a
2 dental hygienist licensed and registered pursuant to chapter 332;

3 (7) "Resident", any natural person who has lived in this state for one or
4 more years for any purpose other than the attending of an educational institution
5 located within this state;

6 (8) "Rural area", a town or community within this state which is not within
7 a standard metropolitan statistical area, and has a population of six thousand or
8 fewer inhabitants as determined by the last preceding federal decennial census or
9 any unincorporated area not within a standard metropolitan statistical area.]

10
11 [191.505. The department of health and senior services shall be the
12 administrative agency for the implementation of the program established by
13 sections 191.500 to 191.550. The department shall promulgate reasonable rules
14 and regulations for the exercise of its functions in the effectuation of the purposes
15 of sections 191.500 to 191.550. It shall prescribe the form and the time and
16 method of filing applications and supervise the processing thereof.]

17
18 [191.510. The department shall enter into a contract with each applicant
19 receiving a state loan under sections 191.500 to 191.550 for repayment of the
20 principal and interest and for forgiveness of a portion thereof for participation in
21 the service areas as provided in sections 191.500 to 191.550.]

22
23 [191.515. An eligible student may apply to the department for a loan under
24 sections 191.500 to 191.550 only if, at the time of his application and throughout
25 the period during which he receives the loan, he has been formally accepted as a
26 student in a participating school in a course of study leading to the degree of
27 doctor of medicine or doctor of osteopathy, including psychiatry, or a doctor of
28 dental surgery, a doctor of dental medicine, or a bachelor of science degree in
29 dental hygiene, and is a resident of this state.]

30
31 [191.520. No loan to any eligible student shall exceed twenty-five
32 thousand dollars for each academic year, which shall run from August first of any
33 year through July thirty-first of the following year. All loans shall be made from
34 funds appropriated to the medical school loan and loan repayment program fund
35 created by section 191.600, by the general assembly.]

36
37 [191.525. No more than twenty-five loans shall be made to eligible
38 students during the first academic year this program is in effect. Twenty-five new
39 loans may be made for the next three academic years until a total of one hundred
40 loans are available. At least one-half of the loans shall be made to students from
41 rural areas as defined in section 191.500. An eligible student may receive loans
42 for each academic year he is pursuing a course of study directly leading to a
43 degree of doctor of medicine or doctor of osteopathy, doctor of dental surgery, or
44 doctor of dental medicine, or a bachelor of science degree in dental hygiene.]

45
46 [191.530. Interest at the rate of nine and one-half percent per year shall be
47 charged on all loans made under sections 191.500 to 191.550 but one-fourth of the
48 interest and principal of the total loan at the time of the awarding of the degree

shall be forgiven for each year of participation by an applicant in the practice of his profession in a rural area or an area of defined need. The department shall grant a deferral of interest and principal payments to a loan recipient who is pursuing an internship or a residency in primary care. The deferral shall not exceed three years. The status of each loan recipient receiving a deferral shall be reviewed annually by the department to ensure compliance with the intent of this provision. The loan recipient will repay the loan beginning with the calendar year following completion of his internship or his primary care residency in accordance with the loan contract.]

[191.535. If a student ceases his study prior to receiving a degree, interest at the rate specified in section 191.530 shall be charged on the amount received from the state under the provisions of sections 191.500 to 191.550.]

[191.540. 1. The department shall establish schedules and procedures for repayment of the principal and interest of any loan made under the provisions of sections 191.500 to 191.550 and not forgiven as provided in section 191.530.

2. A penalty shall be levied against a person in breach of contract. Such penalty shall be twice the sum of the principal and the accrued interest.]

[191.545. When necessary to protect the interest of the state in any loan transaction under sections 191.500 to 191.550, the board may institute any action to recover any amount due.]

[191.550. The contracts made with the participating students shall be approved by the attorney general.]

[335.212. As used in sections 335.212 to 335.242, the following terms mean:

- (1) "Board", the Missouri state board of nursing;
- (2) "Department", the Missouri department of health and senior services;
- (3) "Director", director of the Missouri department of health and senior services;
- (4) "Eligible student", a resident who has been accepted as a full-time student in a formal course of instruction leading to an associate degree, a diploma, a bachelor of science, a master of science in nursing (M.S.N.), a doctorate in nursing (Ph.D. or D.N.P.), or a student with a master of science in nursing seeking a doctorate in education (Ed.D.), or leading to the completion of educational requirements for a licensed practical nurse. The doctoral applicant may be a part-time student;
- (5) "Participating school", an institution within this state which is approved by the board for participation in the professional and practical nursing student loan program established by sections 335.212 to 335.242, having a nursing department and offering a course of instruction based on nursing theory and clinical nursing experience;
- (6) "Qualified applicant", an eligible student approved by the board for participation in the professional and practical nursing student loan program established by sections 335.212 to 335.242;

(7) "Qualified employment", employment on a full-time basis in Missouri in a position requiring licensure as a licensed practical nurse or registered professional nurse in any hospital as defined in section 197.020 or in any agency, institution, or organization located in an area of need as determined by the department of health and senior services. Any forgiveness of such principal and interest for any qualified applicant engaged in qualified employment on a less than full-time basis may be prorated to reflect the amounts provided in this section;

(8) "Resident", any person who has lived in this state for one or more years for any purpose other than the attending of an educational institution located within this state.]

~~[335.215. 1. The department of health and senior services shall be the administrative agency for the implementation of the professional and practical nursing student loan program established under sections 335.212 to 335.242, and the nursing student loan repayment program established under sections 335.245 to 335.259.~~

~~2. An advisory panel of nurses shall be appointed by the director. It shall be composed of not more than eleven members representing practical, associate degree, diploma, baccalaureate and graduate nursing education, community health, primary care, hospital, long-term care, a consumer, and the Missouri state board of nursing. The panel shall make recommendations to the director on the content of any rules, regulations or guidelines prior to their promulgation. The panel may make recommendations to the director regarding fund allocations for loans and loan repayment based on current nursing shortage needs.~~

~~3. The department of health and senior services shall promulgate reasonable rules and regulations for the exercise of its function pursuant to sections 335.212 to 335.259. It shall prescribe the form, the time and method of filing applications and supervise the proceedings thereof. No rule or portion of a rule promulgated under the authority of sections 335.212 to 335.257 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.~~

~~4. Ninety-five percent of funds loaned pursuant to sections 335.212 to 335.242 shall be loaned to qualified applicants who are enrolled in professional nursing programs in participating schools and five percent of the funds loaned pursuant to sections 335.212 to 335.242 shall be loaned to qualified applicants who are enrolled in practical nursing programs. Priority shall be given to eligible students who have established financial need. All loan repayment funds pursuant to sections 335.245 to 335.259 shall be used to reimburse successful associate, diploma, baccalaureate or graduate professional nurse applicants' educational loans who agree to serve in areas of defined need as determined by the department.]~~

~~[335.218. There is hereby established the "Professional and Practical Nursing Student Loan and Nurse Loan Repayment Fund". All fees pursuant to section 335.221, general revenue appropriations to the student loan or loan repayment program, voluntary contributions to support or match the student loan and loan repayment program activities, funds collected from repayment and penalties, and funds received from the federal government shall be deposited in~~

1 the state treasury and be placed to the credit of the professional and practical
 2 nursing student loan and nurse loan repayment fund. The fund shall be managed
 3 by the department of health and senior services and all administrative costs and
 4 expenses incurred as a result of the effectuation of sections 335.212 to 335.259
 5 shall be paid from this fund.]

6
 7 [335.221. The board, in addition to any other duties it may have regarding
 8 licensure of nurses, shall collect, at the time of licensure or licensure renewal, an
 9 education surcharge from each person licensed or relicensed pursuant to sections
 10 335.011 to 335.096, in the amount of one dollar per year for practical nurses and
 11 five dollars per year for professional nurses. These funds shall be deposited in the
 12 professional and practical nursing student loan and nurse loan repayment fund.
 13 All expenditures authorized by sections 335.212 to 335.259 shall be paid from
 14 funds appropriated by the general assembly from the professional and practical
 15 nursing student loan and nurse loan repayment fund. The provisions of section
 16 33.080 to the contrary notwithstanding, money in this fund shall not be transferred
 17 and placed to the credit of general revenue.]

18
 19 [335.224. The department of health and senior services shall enter into a
 20 contract with each qualified applicant receiving financial assistance under the
 21 provisions of sections 335.212 to 335.242 for repayment of the principal and
 22 interest.]

23
 24 [335.227. An eligible student may apply to the department for financial
 25 assistance under the provisions of sections 335.212 to 335.242 if, at the time of his
 26 application for a loan, the eligible student has formally applied for acceptance at a
 27 participating school. Receipt of financial assistance is contingent upon acceptance
 28 and continued enrollment at a participating school.]

29
 30 [335.230. Financial assistance to any qualified applicant shall not exceed
 31 ten thousand dollars for each academic year for a professional nursing program
 32 and shall not exceed five thousand dollars for each academic year for a practical
 33 nursing program. All financial assistance shall be made from funds credited to the
 34 professional and practical nursing student loan and nurse loan repayment fund. A
 35 qualified applicant may receive financial assistance for each academic year he
 36 remains a student in good standing at a participating school.]

37
 38 [335.233. The department shall establish schedules for repayment of the
 39 principal and interest on any financial assistance made under the provisions of
 40 sections 335.212 to 335.242. Interest at the rate of nine and one-half percent per
 41 annum shall be charged on all financial assistance made under the provisions of
 42 sections 335.212 to 335.242, but the interest and principal of the total financial
 43 assistance granted to a qualified applicant at the time of the successful completion
 44 of a nursing degree, diploma program or a practical nursing program shall be
 45 forgiven through qualified employment.]

46
 47 [335.236. The financial assistance recipient shall repay the financial
 48 assistance principal and interest beginning not more than six months after

1 completion of the degree for which the financial assistance was made in
 2 accordance with the repayment contract. If an eligible student ceases his study
 3 prior to successful completion of a degree or graduation at a participating school,
 4 interest at the rate specified in section 335.233 shall be charged on the amount of
 5 financial assistance received from the state under the provisions of sections
 6 335.212 to 335.242, and repayment, in accordance with the repayment contract,
 7 shall begin within ninety days of the date the financial aid recipient ceased to be
 8 an eligible student. All funds repaid by recipients of financial assistance to the
 9 department shall be deposited in the professional and practical nursing student
 10 loan and nurse loan repayment fund for use pursuant to sections 335.212 to
 11 335.259.]

12
 13 [335.239. The department shall grant a deferral of interest and principal
 14 payments to a financial assistance recipient who is pursuing an advanced degree,
 15 special nursing program, or upon special conditions established by the department.
 16 The deferral shall not exceed four years. The status of each deferral shall be
 17 reviewed annually by the department of health and senior services to ensure
 18 compliance with the intent of this section.]

19
 20 [335.242. When necessary to protect the interest of the state in any
 21 financial assistance transaction under sections 335.212 to 335.259, the department
 22 of health and senior services may institute any action to recover any amount due.]

23
 24 [335.245. As used in sections 335.245 to 335.259, the following terms
 25 mean:-

- 26 (1) "Department", the Missouri department of health and senior services;
 27 (2) "Eligible applicant", a Missouri licensed nurse who has attained either
 28 an associate degree, a diploma, a bachelor of science, or graduate degree in
 29 nursing from an accredited institution approved by the board of nursing or a
 30 student nurse in the final year of a full-time baccalaureate school of nursing
 31 leading to a baccalaureate degree or graduate nursing program leading to a
 32 master's degree in nursing and has agreed to serve in an area of defined need as
 33 established by the department;
 34 (3) "Participating school", an institution within this state which grants an
 35 associate degree in nursing, grants a bachelor or master of science degree in
 36 nursing or provides a diploma nursing program which is accredited by the state
 37 board of nursing, or a regionally accredited institution in this state which provides
 38 a bachelor of science completion program for registered professional nurses;
 39 (4) "Qualified employment", employment on a full-time basis in Missouri
 40 in a position requiring licensure as a licensed practical nurse or registered
 41 professional nurse in any hospital as defined in section 197.020 or public or
 42 nonprofit agency, institution, or organization located in an area of need as
 43 determined by the department of health and senior services. Any forgiveness of
 44 such principal and interest for any qualified applicant engaged in qualified
 45 employment on a less than full-time basis may be prorated to reflect the amounts
 46 provided in this section.]

1 ~~[335.248. Sections 335.245 to 335.259 shall be known as the "Nursing~~
 2 ~~Student Loan Repayment Program". The department of health and senior services~~
 3 ~~shall be the administrative agency for the implementation of the authority~~
 4 ~~established by sections 335.245 to 335.259. The department shall promulgate~~
 5 ~~reasonable rules and regulations necessary to implement sections 335.245 to~~
 6 ~~335.259. Promulgated rules shall include, but not be limited to, applicant~~
 7 ~~eligibility, selection criteria, prioritization of service obligation sites and the~~
 8 ~~content of loan repayment contracts, including repayment schedules for those in~~
 9 ~~default and penalties. The department shall promulgate rules regarding~~
 10 ~~recruitment opportunities for minority students into nursing schools. Priority for~~
 11 ~~student loan repayment shall be given to eligible applicants who have~~
 12 ~~demonstrated financial need. All funds collected by the department from~~
 13 ~~participants not meeting their contractual obligations to the state shall be deposited~~
 14 ~~in the professional and practical nursing student loan and nurse loan repayment~~
 15 ~~fund for use pursuant to sections 335.212 to 335.259.]~~

16
 17 ~~[335.251. Upon proper verification to the department by the eligible~~
 18 ~~applicant of securing qualified employment in this state, the department shall enter~~
 19 ~~into a loan repayment contract with the eligible applicant to repay the interest and~~
 20 ~~principal on the educational loans of the applicant to the limit of the contract,~~
 21 ~~which contract shall provide for instances of less than full-time qualified~~
 22 ~~employment consistent with the provisions of section 335.233, out of any~~
 23 ~~appropriation made to the professional and practical nursing student loan and~~
 24 ~~nurse loan repayment fund. If the applicant breaches the contract by failing to~~
 25 ~~begin or complete the qualified employment, the department is entitled to recover~~
 26 ~~the total of the loan repayment paid by the department plus interest on the repaid~~
 27 ~~amount at the rate of nine and one-half percent per annum.]~~

28
 29 ~~[335.254. Sections 335.212 to 335.259 shall not be construed to require~~
 30 ~~the department to enter into contracts with individuals who qualify for nursing~~
 31 ~~education loans or nursing loan repayment programs when federal, state and local~~
 32 ~~funds are not available for such purposes.]~~

33
 34 ~~[335.257. Successful applicants for whom loan payments are made under~~
 35 ~~the provisions of sections 335.245 to 335.259 shall verify to the department twice~~
 36 ~~each year in the manner prescribed by the department that qualified employment~~
 37 ~~in this state is being maintained.]"; and~~

38
 39 Further amend said bill, Page 53, Section B, Lines 1-7, by deleting all of said lines and inserting in
 40 lieu thereof the following:

41
 42 "Section B. Because immediate action is necessary to address the shortage of health care
 43 providers in this state, and because of the importance of ensuring healthy pregnancies and healthy
 44 women and children in Missouri in the face of growing maternal mortality, the enactment of section
 45 191.592, and the repeal and reenactment of sections 208.151 and 208.662 of this act, are deemed
 46 necessary for the immediate preservation of the public health, welfare, peace, and safety, and is

1 hereby declared to be an emergency act within the meaning of the constitution, and the enactment of
2 section 191.592, and the repeal and reenactment of sections 208.151 and 208.662 of section A of
3 this act shall be in full force and effect upon its passage and approval."; and"; and
4

5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.
7

8 THIS AMENDS 0309H09.44H