

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 542, Page 6, Section 191.831, Line 55, by inserting after all of said section
2 and line the following:

3
4 "335.203. 1. There is hereby established the "Nursing Education Incentive Program" within
5 the state board of nursing.

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

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

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

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

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

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

25 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
26 under the authority delegated in this section shall become effective only if it complies with and is
27 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
28 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
29 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently

Action Taken _____ Date _____

1 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
2 August 28, 2011, shall be invalid and void.

3 335.205. The board, in addition to any other duties it may have regarding licensure of
4 nurses, shall collect, at the time of any initial license application or license renewal application, a
5 nursing education incentive program surcharge from each person licensed or relicensed under
6 chapter 335, in the amount of one dollar per year for practical nurses and five dollars per year for
7 registered professional nurses. These funds shall be deposited in the state board of nursing fund
8 described in section 335.036."; and
9

10 Further amend said bill, Page 9, Section 191.550, Line 2, by inserting after all of said section and
11 line the following:

12
13 ~~"[335.212. As used in sections 335.212 to 335.242, the following terms~~
14 ~~mean:~~

- 15 (1) ~~"Board", the Missouri state board of nursing;~~
16 (2) ~~"Department", the Missouri department of health and senior services;~~
17 (3) ~~"Director", director of the Missouri department of health and senior~~
18 ~~services;~~
19 (4) ~~"Eligible student", a resident who has been accepted as a full-time~~
20 ~~student in a formal course of instruction leading to an associate degree, a diploma,~~
21 ~~a bachelor of science, a master of science in nursing (M.S.N.), a doctorate in~~
22 ~~nursing (Ph.D. or D.N.P.), or a student with a master of science in nursing seeking~~
23 ~~a doctorate in education (Ed.D.), or leading to the completion of educational~~
24 ~~requirements for a licensed practical nurse. The doctoral applicant may be a part-~~
25 ~~time student;~~
26 (5) ~~"Participating school", an institution within this state which is~~
27 ~~approved by the board for participation in the professional and practical nursing~~
28 ~~student loan program established by sections 335.212 to 335.242, having a nursing~~
29 ~~department and offering a course of instruction based on nursing theory and~~
30 ~~clinical nursing experience;~~
31 (6) ~~"Qualified applicant", an eligible student approved by the board for~~
32 ~~participation in the professional and practical nursing student loan program~~
33 ~~established by sections 335.212 to 335.242;~~
34 (7) ~~"Qualified employment", employment on a full-time basis in Missouri~~
35 ~~in a position requiring licensure as a licensed practical nurse or registered~~
36 ~~professional nurse in any hospital as defined in section 197.020 or in any agency,~~
37 ~~institution, or organization located in an area of need as determined by the~~
38 ~~department of health and senior services. Any forgiveness of such principal and~~
39 ~~interest for any qualified applicant engaged in qualified employment on a less than~~
40 ~~full-time basis may be prorated to reflect the amounts provided in this section;~~
41 (8) ~~"Resident", any person who has lived in this state for one or more~~
42 ~~years for any purpose other than the attending of an educational institution located~~
43 ~~within this state.]~~
44

45 ~~[335.215. 1. The department of health and senior services shall be the~~
46 ~~administrative agency for the implementation of the professional and practical~~

1 nursing student loan program established under sections 335.212 to 335.242, and
 2 the nursing student loan repayment program established under sections 335.245 to
 3 335.259.

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

12 ~~3. The department of health and senior services shall promulgate
 13 reasonable rules and regulations for the exercise of its function pursuant to
 14 sections 335.212 to 335.259. It shall prescribe the form, the time and method of
 15 filing applications and supervise the proceedings thereof. No rule or portion of a
 16 rule promulgated under the authority of sections 335.212 to 335.257 shall become
 17 effective unless it has been promulgated pursuant to the provisions of section
 18 536.024.~~

19 ~~4. Ninety five percent of funds loaned pursuant to sections 335.212 to
 20 335.242 shall be loaned to qualified applicants who are enrolled in professional
 21 nursing programs in participating schools and five percent of the funds loaned
 22 pursuant to sections 335.212 to 335.242 shall be loaned to qualified applicants
 23 who are enrolled in practical nursing programs. Priority shall be given to eligible
 24 students who have established financial need. All loan repayment funds pursuant
 25 to sections 335.245 to 335.259 shall be used to reimburse successful associate,
 26 diploma, baccalaureate or graduate professional nurse applicants' educational
 27 loans who agree to serve in areas of defined need as determined by the
 28 department.]~~

30 ~~[335.218. There is hereby established the "Professional and Practical
 31 Nursing Student Loan and Nurse Loan Repayment Fund". All fees pursuant to
 32 section 335.221, general revenue appropriations to the student loan or loan
 33 repayment program, voluntary contributions to support or match the student loan
 34 and loan repayment program activities, funds collected from repayment and
 35 penalties, and funds received from the federal government shall be deposited in
 36 the state treasury and be placed to the credit of the professional and practical
 37 nursing student loan and nurse loan repayment fund. The fund shall be managed
 38 by the department of health and senior services and all administrative costs and
 39 expenses incurred as a result of the effectuation of sections 335.212 to 335.259
 40 shall be paid from this fund.]~~

41
 42 ~~[335.221. The board, in addition to any other duties it may have regarding
 43 licensure of nurses, shall collect, at the time of licensure or licensure renewal, an
 44 education surcharge from each person licensed or relicensed pursuant to sections
 45 335.011 to 335.096, in the amount of one dollar per year for practical nurses and
 46 five dollars per year for professional nurses. These funds shall be deposited in the
 47 professional and practical nursing student loan and nurse loan repayment fund.
 48 All expenditures authorized by sections 335.212 to 335.259 shall be paid from
 49 funds appropriated by the general assembly from the professional and practical~~

1 nursing student loan and nurse loan repayment fund. The provisions of section
2 33.080 to the contrary notwithstanding, money in this fund shall not be transferred
3 and placed to the credit of general revenue.]
4

5 [335.224. The department of health and senior services shall enter into a
6 contract with each qualified applicant receiving financial assistance under the
7 provisions of sections 335.212 to 335.242 for repayment of the principal and
8 interest.]
9

10 [335.227. An eligible student may apply to the department for financial
11 assistance under the provisions of sections 335.212 to 335.242 if, at the time of his
12 application for a loan, the eligible student has formally applied for acceptance at a
13 participating school. Receipt of financial assistance is contingent upon acceptance
14 and continued enrollment at a participating school.]
15

16 [335.230. Financial assistance to any qualified applicant shall not exceed
17 ten thousand dollars for each academic year for a professional nursing program
18 and shall not exceed five thousand dollars for each academic year for a practical
19 nursing program. All financial assistance shall be made from funds credited to the
20 professional and practical nursing student loan and nurse loan repayment fund. A
21 qualified applicant may receive financial assistance for each academic year he
22 remains a student in good standing at a participating school.]
23

24 [335.233. The department shall establish schedules for repayment of the
25 principal and interest on any financial assistance made under the provisions of
26 sections 335.212 to 335.242. Interest at the rate of nine and one-half percent per
27 annum shall be charged on all financial assistance made under the provisions of
28 sections 335.212 to 335.242, but the interest and principal of the total financial
29 assistance granted to a qualified applicant at the time of the successful completion
30 of a nursing degree, diploma program or a practical nursing program shall be
31 forgiven through qualified employment.]
32

33 [335.236. The financial assistance recipient shall repay the financial
34 assistance principal and interest beginning not more than six months after
35 completion of the degree for which the financial assistance was made in
36 accordance with the repayment contract. If an eligible student ceases his study
37 prior to successful completion of a degree or graduation at a participating school,
38 interest at the rate specified in section 335.233 shall be charged on the amount of
39 financial assistance received from the state under the provisions of sections
40 335.212 to 335.242, and repayment, in accordance with the repayment contract,
41 shall begin within ninety days of the date the financial aid recipient ceased to be
42 an eligible student. All funds repaid by recipients of financial assistance to the
43 department shall be deposited in the professional and practical nursing student
44 loan and nurse loan repayment fund for use pursuant to sections 335.212 to
45 335.259.]
46

47 [335.239. The department shall grant a deferral of interest and principal
48 payments to a financial assistance recipient who is pursuing an advanced degree,
49 special nursing program, or upon special conditions established by the department.

1 The deferral shall not exceed four years. The status of each deferral shall be
 2 reviewed annually by the department of health and senior services to ensure
 3 compliance with the intent of this section.]
 4

5 [335.242. When necessary to protect the interest of the state in any
 6 financial assistance transaction under sections 335.212 to 335.259, the department
 7 of health and senior services may institute any action to recover any amount due.]
 8

9 [335.245. As used in sections 335.245 to 335.259, the following terms
 10 mean:

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

33 [335.248. Sections 335.245 to 335.259 shall be known as the "Nursing
 34 Student Loan Repayment Program". The department of health and senior services
 35 shall be the administrative agency for the implementation of the authority
 36 established by sections 335.245 to 335.259. The department shall promulgate
 37 reasonable rules and regulations necessary to implement sections 335.245 to
 38 335.259. Promulgated rules shall include, but not be limited to, applicant
 39 eligibility, selection criteria, prioritization of service obligation sites and the
 40 content of loan repayment contracts, including repayment schedules for those in
 41 default and penalties. The department shall promulgate rules regarding
 42 recruitment opportunities for minority students into nursing schools. Priority for
 43 student loan repayment shall be given to eligible applicants who have
 44 demonstrated financial need. All funds collected by the department from
 45 participants not meeting their contractual obligations to the state shall be deposited
 46 in the professional and practical nursing student loan and nurse loan repayment
 47 fund for use pursuant to sections 335.212 to 335.259.]
 48

1 ~~[335.251. Upon proper verification to the department by the eligible~~
2 ~~applicant of securing qualified employment in this state, the department shall enter~~
3 ~~into a loan repayment contract with the eligible applicant to repay the interest and~~
4 ~~principal on the educational loans of the applicant to the limit of the contract,~~
5 ~~which contract shall provide for instances of less than full-time qualified~~
6 ~~employment consistent with the provisions of section 335.233, out of any~~
7 ~~appropriation made to the professional and practical nursing student loan and~~
8 ~~nurse loan repayment fund. If the applicant breaches the contract by failing to~~
9 ~~begin or complete the qualified employment, the department is entitled to recover~~
10 ~~the total of the loan repayment paid by the department plus interest on the repaid~~
11 ~~amount at the rate of nine and one-half percent per annum.]~~

12
13 ~~[335.254. Sections 335.212 to 335.259 shall not be construed to require~~
14 ~~the department to enter into contracts with individuals who qualify for nursing~~
15 ~~education loans or nursing loan repayment programs when federal, state and local~~
16 ~~funds are not available for such purposes.]~~

17
18 ~~[335.257. Successful applicants for whom loan payments are made under~~
19 ~~the provisions of sections 335.245 to 335.259 shall verify to the department twice~~
20 ~~each year in the manner prescribed by the department that qualified employment~~
21 ~~in this state is being maintained.]"; and~~

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.