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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO HEALTH AND SAFETY -- CENTER FOR HEALTH PROFESSIONS ACT

Introduced By: Representatives Slater, Almeida, Diaz, Dennigan, and Naughton

Date Introduced: March 01, 2007

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 17.20

4 CENTER FOR HEALTH PROFESSIONS

5 **23-17.20-1. Legislative findings.** – (a) The general assembly finds and declares that:

6 (1) there is a growing shortage of qualified nurses and health care professionals available
7 to meet the needs of patients in health care facilities in Rhode Island as documented in the report
8 "Help wanted: The growing crisis in Rhode Island's nursing workforce" prepared by the Rhode
9 Island shape foundation;

10 (2) health care facilities serving the citizens of the state are experiencing increasing
11 difficulty in attracting nurses to administer to their patients;

12 (3) quality health care depends, in part, on the availability of nurses and health care
13 professionals;

14 (4) it is in the public interest and essential to the welfare and well-being of the inhabitants
15 of the state that there be a sufficient number of nurses and health care workers in the state to serve
16 the health care needs of patients; and

17 (5) it is vital to the welfare of the state's citizenry that incentives be provided to attract
18 and retain nurses and health care professionals to provide service in health care facilities
19 throughout the state.

1 **23-17.20-2. Center for health professions established.** – There is hereby created a
2 center for health professions under the auspices of the health partnership council of Rhode Island
3 for the purpose of developing a sufficient, diverse, and well trained health care workforce to
4 ensure the citizens of Rhode Island continue to have access to high quality health care.

5 **23-17.20-3. Responsibilities of the center for health professions.** – The center for
6 health professions shall:

7 (1) Serve as a repository for health care workforce data and provided policy makers with
8 the information needed to make decisions regarding increasing the capacity in existing programs
9 or creating additional professional health care degree programs at local colleges and universities;

10 (2) Serve the existing health care workforce by providing relevant and timely information
11 on professional development opportunities and training available, and by promoting best practices
12 and nurse retention;

13 (3) Serve as a resource for health care workers seeking to re-enter the workforce;

14 (4) House the nurse facility externship program that offers industry-based nurses
15 interested in serving as nurse faculty with an opportunity to observe the day to day duties and
16 responsibilities of a faculty member and to explore the nursing faculty role and educational
17 requirements.

18 (5) House the statewide nurse clinical placement registry established herein to provide
19 nursing students with opportunities to use skills and classroom applications in health care
20 settings.

21 (6) Have responsibilities as specified in sections 16-62.1-12, 23-14.2-12, and 44-30-27.2.

22 **23-17.20-4. Appropriation.** – The general assembly shall appropriate two hundred fifty
23 thousand dollars (\$250,000) in state fiscal year 2008 for the purpose of establishing the center for
24 health professions and the statewide nurse clinical placement registry. This one-time
25 appropriation is for start up-costs associated with the center for health professions and the
26 statewide nurse clinical placement registry.

27 SECTION 2. Sections 16-62.1-1, 16-62.1-2, 16-62.1-3, 16-62.1-4, 16-62.1-6, 16-62.1-7,
28 16-62.1-8 and 16-62.1-10 of the General Laws in Chapter 16-62.1 entitled "Nursing Loan
29 Repayment Program" are hereby amended to read as follows:

30 **16-62.1-1. Legislative findings.** -- The purpose of this chapter is to provide an incentive,
31 in the form of interest reduction on certain types of education loans, to students, including those
32 enrolling in approved continuing education programs, who desire to serve the health care needs of
33 individuals in Rhode Island by enrolling in a registered nurse training program or post-graduate
34 education programs to prepare them for nursing faculty positions. The general assembly has

1 found and hereby declares that it is in the public interest and essential to the welfare and well
2 being of the inhabitants of the state that a sufficient number of registered nurses be attracted to
3 Rhode Island to serve the health care needs of our population. The general assembly further finds
4 that there is a growing shortage of qualified registered nurses to meet the needs of the state's
5 population. The general assembly determines that it is vital to the welfare of the state's citizenry
6 that an incentive be provided to attract and retain registered nurses in the state to meet their needs.

7 **16-62.1-2. Definitions.** -- For the purpose of this chapter, the following terms shall have
8 the following meanings unless the context clearly requires otherwise:

9 (1) "Authority" means the governmental agency and public instrumentality authorized,
10 created and established pursuant to section 16-62-4.

11 (2) "Eligible registered nurse" means an individual who holds a valid Rhode Island
12 license to practice as a professional registered nurse and who works as a registered nurse, or is
13 employed in a certified nurse education training program in this state and can document that they
14 work at least half time (average of twenty (20) hours per week).

15 (3) "Loan" means a federal Stafford (FFELP) loan made by the authority or one of its
16 participating lenders, issued after July 1, 2000 and not in default.

17 (4) "Eligible employment" shall mean employment as a registered nurse ~~responsible for~~
18 ~~patient care at any Rhode Island licensed health care facility~~ or nurse educator in this state,
19 including, but not limited to, employment by hospitals, nursing homes ~~and~~, home nursing care
20 providers, assisted living residences, adult day services, health care and human service providers
21 and nurse education programs.

22 **16-62.1-3. ~~Interest forgiveness on loans~~ Interest and loan forgiveness.** -- ~~An~~ Subject
23 to funds made available by the authority and matching funds annually appropriated by the general
24 assembly, an eligible registered nurse shall be eligible to have the interest on his or her loan, or a
25 portion of the loan, forgiven for each year he or she has eligible employment in the state up to a
26 maximum of four (4) years and prior to the termination of this program.

27 **16-62.1-4. ~~Application for loan interest forgiveness~~ Application for loan and/or**
28 **interest forgiveness.** -- Any individual seeking interest forgiveness or loan forgiveness pursuant
29 to the provisions of this chapter shall apply to the authority on forms prescribed by the authority
30 containing any information that the authority deems advisable to fulfill the provisions of this
31 program. The authority's executive director, or his or her designee, shall determine the eligibility
32 of each applicant.

33 **16-62.1-6. Penalty for failure to maintain eligibility.** -- In the event the authority
34 determines that an individual is no longer eligible for the interest or loan forgiveness on his or her

1 loan as provided in this chapter, that individual shall be required to pay the holder of his or her
2 loan forthwith all accrued interest [and principal](#) and any late payment penalties which have
3 accrued during the period of the ineligibility.

4 **16-62.1-7. Regulations.** -- The authority may promulgate any regulations that it deems
5 necessary to implement the provisions of this interest [and loan](#) forgiveness program.

6 **16-62.1-8. No adverse effect on authority's bond issues or rating.** -- Notwithstanding
7 any provision of this chapter to the contrary, to the extent, if any, that this interest [and loan](#)
8 forgiveness program shall have any material adverse effect on the authority's ability to issue
9 negotiable bonds and notes, the authority shall be empowered to suspend this program on a
10 prospective basis, provided that any individual who has previously been determined to be eligible
11 for the program's benefits shall retain their eligibility up to the maximum period prescribed in this
12 chapter.

13 **16-62.1-10. Termination of interest forgiveness on December 31, 2010 Termination**
14 **of interest and loan forgiveness on December 31, 2012.** -- The interest [and loan forgiveness](#)
15 benefits granted under this program shall cease after December 31, ~~2010~~ [2012 unless extended by](#)
16 [an act of the general assembly](#).

17 SECTION 3. Chapter 16-62.1 of the General Laws entitled "Nursing Loan Repayment
18 Program" is hereby amended by adding thereto the following section:

19 **16-62.1-11. Annual appropriation.** – [Beginning in fiscal year 2007 the general](#)
20 [assembly shall annually appropriate the sum of two hundred and fifty thousand dollars \(\\$250,000\)](#)
21 [for the purpose of providing matching funds to the authority to carry out the provisions of this](#)
22 [chapter.](#)

23 **16-62.1-12. Responsibilities of the center for health professions.** – [The center for](#)
24 [health professions as established in section 23-17.20-2 shall be responsible for:](#)

25 [\(1\) Establishing communications to nurses regarding the policies and procedures of the](#)
26 [nursing loan repayment program to improve access to the program.](#)

27 [\(2\) Monitoring and tracking the number of nurses that apply for nursing loan repayment](#)
28 [and the number awarded annually.](#)

29 SECTION 4. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
30 amended by adding thereto the following chapter:

31 [CHAPTER 14.2](#)

32 [NURSING EDUCATION SCHOLARSHIP PROGRAM](#)

33 **23-14.2-1. Definitions.** – [For the purpose of this chapter, the following words and terms](#)
34 [shall have the following meanings unless the context clearly requires otherwise:](#)

1 (1) "Authority" means the higher education assistance authority.

2 (2) "Board" means the nursing education scholarship board.

3 (3) "Health care facility" means a health care facility licensed pursuant to chapter 17 or
4 17.4 of title 23.

5 (4) "Director" means the director of the Rhode Island higher education assistance
6 authority.

7 (5) "Nursing student" means a student enrolled in an educational program, approved
8 pursuant to chapter 34 of title 5, of basic professional nursing or practical nursing.

9 (6) "Scholarship" means a grant of money to be used to pay some or all of the tuition for
10 the nursing education program in which a nursing student is enrolled.

11 (7) "Eligible employment" means employment as a professional (registered) or practical
12 nurse responsible for providing:

13 (i) patient care at a health care facility;

14 (ii) faculty at a nursing education program; or

15 (iii) other health care or related services.

16 (8) "Nursing education" means:

17 (i) an educational program, approved pursuant to chapter 34 of title 5, of basic
18 professional nursing or practical nursing; or

19 (ii) an accredited educational program resulting in a master's or doctoral degree in
20 nursing.

21 **23-14.2-2. Nursing education scholarship program established.** – There is hereby
22 established within the higher education assistance authority, to be administered by the director, or
23 his or her designee, the nursing education scholarship program whose purpose shall be to
24 provided scholarships to eligible nursing students to defray the cost of their professional
25 education.

26 **23-14.2-3. Nursing education scholarship board.** – (a) There is hereby created the
27 nursing education assistance scholarship board, which shall consist of ten (10) members and be
28 constituted as follows: one health care consumer and two (2) nonadministrative clinical nurses
29 currently employed by a health care facility or in a health care capacity; one of whom is a
30 member of a collective bargaining agent, each to be appointed by the governor; one member of
31 the Rhode Island state nurses' association appointed by its president; one member of the Rhode
32 Island colleagues in caring group appointed by its co-chairs; one member who is a long-term care
33 provider appointed by the chairman of the long-term care coordinating council; one of whom
34 shall be the president of the hospital association of Rhode Island, or his or her designee; one of

1 whom shall be the executive director of the Rhode Island higher education assistance authority, or
2 his or her designee; and one of whom shall be the chair of the state board of nursing registration
3 and nursing education, or his or her designee; one of whom shall be the executive director of the
4 Rhode Island higher educations assistance authority, or his or her designee; and one of whom
5 shall be the chair of the state board of nursing registration and nursing registration and nursing
6 education, or his or her designee. All members shall serve at the pleasure of the appointing
7 authority and shall receive no compensation for their services.

8 (b) The director shall serve as chairperson. All meetings shall be called by the
9 chairperson.

10 **23-14.2-4. Duties of the board.** – The board or a duly authorized committee thereof,
11 shall:

12 (1) Receive and consider all applications for scholarships made by eligible nursing
13 students;

14 (2) Conduct a careful and full investigation of the academic record, clinical ability,
15 character, financial needs, and other qualifications of each applicant;

16 (3) Consider the applicant's work history and experience both paid and unpaid in the
17 health care field;

18 (4) Consider the intent of the applicant to practice in a licensed health care facility,
19 nursing education program or other health care or health care related service and to adhere to all
20 the requirements for participation in the scholarship program;

21 (5) Submit to the director a list of those individuals eligible for a scholarship and the
22 amount of each scholarship to be granted; and

23 (6) Promulgate rules and regulations to ensure the effective implementation and
24 administration of the program.

25 **23-14.2-5. Duties of the director.** – The director shall:

26 (1) grant scholarships to successful applicants as determined by the board;

27 (2) enter into contracts, on behalf of the higher education assistance authority with each
28 successful applicant, reflecting the purpose and intent of this chapter.

29 **23-14.2-6. Conditions of scholarship.** – Scholarships under the provisions of this
30 chapter shall be based on condition that the recipient:

31 (1) apply for a license as a professional (registered) or practical nurse pursuant to chapter
32 34 of title 5 at the earliest practicable opportunity but no later than six (6) months after
33 completing the educational program for which the scholarship was granted; and

34 (2) can document that he or she works in eligible employment at least half time (average

1 of twenty (20) hours per week) for a minimum of two (2) years after licensure.

2 **23-14.2-7. Contracts required.** – Prior to being granted a scholarship each eligible
3 nursing student shall enter into a contract with the authority agreeing to the terms and conditions
4 on which the scholarship is granted. The contract shall include such provisions as are required to
5 fulfill the purposes of this chapter and those deemed advisable by the director.

6 **23-14.2-8. Penalty for failure to complete contract.** – (a) If a recipient of a scholarship
7 fails, without justifiable cause, to complete the period of obligated service in accordance with the
8 terms and conditions of his or her contract with the authority, he or she shall be liable to the state
9 of Rhode Island for an amount equal to the total scholarship plus interest at the rate set pursuant
10 to section 44-1-7, as amended, accrued from the date the scholarship is paid.

11 (b) Any amount owed shall be paid to the state of Rhode Island within one year of the
12 date that the recipient is in breach of contract; provided, however, that the director for justifiable
13 cause shown by the recipient and subject to the approval of the board, may extend, up to an
14 additional four (4) years, the deadline for the payment of amounts owed.

15 (c) Where the director, subject to the approval of the board, determines that there exists
16 justifiable cause for the failure of a recipient to serve pursuant to the terms and conditions of the
17 contract, he or she may relieve the recipient of the obligation to fulfill any or all of the terms of
18 the contract.

19 **23-14.2-9. Severability.** – The provisions of this chapter are severable. If any of its
20 provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of
21 the court shall not affect or impair any of the remaining provisions.

22 **23-14.2-10. Appropriation.** -- The general assembly shall annually appropriate two
23 hundred fifty thousand dollars (\$250,000) for the purpose of paying nursing education
24 scholarships as outlined herein. Funds in this account shall be used only for the purpose of
25 nursing education scholarships as outlined in this chapter. The state controller is hereby
26 authorized and directed to draw his or her orders on the general treasurer for the payment of such
27 sum, or so much thereof, as may be required from time to time, on the receipt by him or her of
28 duly authenticated vouchers. Implementation of this program is contingent on the appropriation
29 of the required resources.

30 **23-14.2-11. Authorization to accept and receive funds.** – The higher education
31 assistance authority is authorized to accept and receive funds form the United States of America,
32 the cities and towns of the state, and from individuals, organizations, corporations, and other
33 funding sources that may desire to contribute to the nursing education scholarship program. Any
34 funds received shall be deposited in the account established pursuant to section 23-14.3-11 and

1 shall be scholarships as outlined in this chapter.

2 **23-14.2-12. Responsibilities of the center for health professions.** – The center for
3 health professions as established in section 23-17.20-2 shall be responsible for:

4 (1) Communicating the scholarship application process and criteria to high schools and
5 students, nursing school applicants and enrollees, and approved continuing education programs.

6 (2) Tracking compliance with the work requirements, as established in sections 23-14.2-
7 6, 23-14.2-7, and 23-14.2-8, upon completion of the education program for which the scholarship
8 was awarded.

9 SECTION 5. Title 44 of the General Laws entitled "TAXATION" is hereby amended by
10 adding thereto the following chapter:

11 CHAPTER 27.1

12 NURSING FACULTY TAX CREDIT

13 **44-27.1-1. Tax credit for full-time nurse faculty that teach in any of the five schools**
14 **of nursing in Rhode Island.** – (a) The general assembly recognizes and declares that because
15 there exists a shortage of full time faculty at the schools of nursing in this state and there are
16 serious limits on the number of enrollees in schools of nursing that can be accepted due to faculty
17 shortages it is necessary to encourage masters prepared nurses to choose academic employment;
18 that academic employment of nurses is at a compensatory disadvantage to private employment in
19 health care facilities and other health care settings; and that encouraging nurse faculty
20 employment is critical to the development of a sufficient nursing workforce to meet the health
21 care needs of the people of the state of Rhode Island.

22 (b) It is therefore the policy of this state to support and foster the development of nurse
23 faculty at the schools of nursing in this state by the establishment of an income tax credit in the
24 amount of three thousand dollars (\$3,000) per year for masters prepared nurses employed as
25 nurse faculty in the schools of nursing in Rhode Island. This tax credit shall be allowed as a
26 personal income tax credit.

27 **44-27.1-2. Responsibilities of the center for health professions.** – The center for health
28 professions as established in section 23-17.20-2 shall be responsible for:

29 (1) Providing information to nurses, students in nursing education programs, and nursing
30 faculty regarding the availability of the nurse faculty tax credit and eligibility criteria.

31 (2) Monitoring the trends of nurses pursuing and accepting faculty positions.

32 SECTION 6. This act shall take effect upon passage.

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- CENTER FOR HEALTH PROFESSIONS ACT

1 This act would create the center for health professions. This act would also create student
2 loan forgiveness programs for certain nursing professionals, a nursing education scholarship
3 program, and a nursing faculty tax credit.

4 This act would take effect upon passage.

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