

LC00404

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2003**

**A N A C T**

**RELATING TO HEALTH AND SAFETY -- THE NURSING EDUCATION SCHOLARSHIP PROGRAM**

Introduced By: Representatives Ginaitt, Anguilla, Handy, Carter, and S Anderson

Date Introduced: January 28, 2003

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 14.2

4 NURSING EDUCATION SCHOLARSHIP PROGRAM

5 **23-14.2-1. Legislative findings.** – The general assembly finds and hereby declares that:

6 (1) there is a growing shortage of qualified nurses available to meet the needs of patients in health  
7 care facilities in Rhode Island; (2) health care facilities serving the citizens of the state are  
8 experiencing increasing difficulty in attracting and retaining nurses to administer to their patients;  
9 (3) quality health care depends, in part, on the availability of nurses; (4) it is in the public interest  
10 and essential to the welfare and well-being of the inhabitants of the state that there be a sufficient  
11 number of nurses in the state to serve the health care needs of patients; and (5) it is vital to the  
12 welfare of the state's citizenry that an incentive be provided to attract and retain nurses to provide  
13 service in health care facilities throughout the state. Therefore, it is the general assembly's intent  
14 to provide an incentive, in the form of scholarships, to students in nursing education programs to  
15 serve the health care needs of patients receiving care in health care facilities in Rhode Island.

16 **23-14.2-2. Definitions.** – For the purpose of this chapter, the following words and terms  
17 shall have the following meanings unless the context clearly requires otherwise:

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

1           (2) “Board” means the nursing education scholarship board.

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

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

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

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

10           (7) “Eligible employment” shall mean employment as a professional (registered) or  
11 practical nurse responsible for providing patient care at a health care facility.

12           (8) “Nursing education” means (i) an educational program, approved pursuant to chapter  
13 34 of title 5, of basic professional nursing or practical nursing; or (ii) an accredited educational  
14 program resulting in a Master’s or Doctoral Degree in nursing.

15           **23-14.2-3. Nursing education scholarship program established.** – There is hereby  
16 established within the higher education assistance authority, to be administered by the director, or  
17 his/her designee, the nursing education scholarship program whose purpose shall be to provide  
18 scholarships to eligible nursing students to defray the cost of their professional education.

19           **23-14.2-4. Nursing education scholarship board.** – (a) There is hereby created the  
20 nursing education scholarship board, which shall consist of eleven (11) members and be  
21 constituted as follows: one (1) health care consumer and two (2) nonadministrative clinical nurses  
22 currently employed by a health care facility; one (1) of whom is a member of a collective  
23 bargaining agent, each to be appointed by the governor; one (1) member of the Rhode Island state  
24 nurses’ association appointed by its president; one (1) member of the house of representatives  
25 appointed by the speaker; one (1) member of the senate appointed by the majority leader; two (2)  
26 members of Rhode Island colleagues in caring groups appointed by its co-chairs; the president of  
27 the hospital association of Rhode Island or his/her designee; the executive director of the Rhode  
28 Island higher education assistance authority, or his/her designee; and the chair of the state board  
29 of nursing registration and nursing education, or his/her designee. All members shall serve at the  
30 pleasure of the appointing authority and shall receive no compensation for their services.

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

33           **23-14.2-5. Duties of the board.** – The board or a duly authorized committee thereof,  
34 shall:

1           (1) Receive and consider all applications for scholarships made by eligible nursing  
2 students.

3           (2) Conduct a careful and full investigation of the academic record, clinical ability,  
4 character, financial needs, and other qualifications of each applicant.

5           (3) Consider the applicant's work history and experience both paid and unpaid in the  
6 health care field.

7           (4) Consider the intent of the applicant to practice in a licensed health care facility and to  
8 adhere to all the requirements for participation in the scholarship program.

9           (5) Submit to the director a list of those individuals eligible for a scholarship and the  
10 amount of each scholarship to be granted.

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

13           **23-14.2-6. Duties of the director.** – The director shall:

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

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

17           **23-14.2-7. Conditions of scholarship.** – Scholarships under the provisions of this  
18 chapter shall be based on condition that the recipient: (1) apply for a license as a professional  
19 (registered) or practical nurse pursuant to chapter 34 of title 5 at the earliest practicable  
20 opportunity but no later than six (6) months after completing the educational program for which  
21 the scholarship was granted; and (2) can document that he/she works in eligible employment at  
22 least half time (average of twenty (20) hours per week) for a minimum of two (2) years after  
23 licensure.

24           **23-14.2-8. Contracts required.** – Prior to being granted a scholarship each eligible  
25 nursing student shall enter into a contract with the authority agreeing to the terms and conditions  
26 on which the scholarship is granted. The contract shall include such provisions as are required to  
27 fulfill the purposes of this chapter and those deemed advisable by the director.

28           **23-14.2-9. Penalty for failure to complete contract.** – (a) If a recipient of a scholarship  
29 fails, without justifiable cause, to complete the period of obligated service in accordance with the  
30 terms and conditions of his/her contract with the authority, he/she shall be liable to the state of  
31 Rhode Island for an amount equal to the total scholarship plus interest at the rate set pursuant to  
32 section 44-1-7, as amended, accrued from the date the scholarship is paid.

33           (b) Any amount owed shall be paid to the state of Rhode Island within one (1) year of the  
34 date that the recipient is in breach of contract provided, however, that the director for justifiable

1 cause shown by the recipient and subject to the approval of the board, may extend, up to an  
2 additional four (4) years, the deadline for the payment of amounts owed.

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

7 **23-14.2-10. Severability.** – The provisions of this chapter are severable. If any of its  
8 provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of  
9 the court shall not affect or impair any of the remaining provisions.

10 **23-14.2-11. Appropriation.** – The general assembly shall annually appropriate two  
11 hundred fifty thousand dollars (\$250,000) for the purpose of paying nursing education  
12 scholarships as outlined herein. Funds in this account shall be used only for the purpose of  
13 nursing education scholarships as outlined in this chapter. The state controller is hereby  
14 authorized and directed to draw his/her orders on the general treasurer for the payment of such  
15 sum, or so much thereof, as may be required from time to time, on the receipt by him/her of duly  
16 authenticated vouchers. Implementation of this program is contingent on the appropriation of the  
17 required resources.

18 **23-14.2-12. Authorization to accept and receive funds.** – The higher education  
19 assistance authority is authorized to accept and receive funds from the United States of America,  
20 the cities and towns of the state, and from individuals, organizations, corporations, and other  
21 funding sources that may desire to contribute to the nursing education scholarship program. Any  
22 funds received shall be deposited in the account established pursuant to section 23-14.3-11 and  
23 shall be scholarships as outlined in this chapter.

24 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY -- THE NURSING EDUCATION SCHOLARSHIP  
PROGRAM

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1           This act would help address the shortage of nurses in health care facilities by establishing  
2 a nursing education scholarship program to provide scholarships for nurses who agree to work in  
3 health care facilities for at least two (2) years.

4           This act would take effect upon passage.

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