

SENATE BILL No. 25

By Legislative Educational Planning Committee

1-5

9 AN ACT establishing the nurse educator service scholarship program;
10 providing for the administration thereof.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. This act shall be known and may be cited as the nurse
14 educator service scholarship program act.

15 Sec. 2. As used in the nurse educator service scholarship program
16 act:

17 (a) "Executive officer" means the chief executive officer of the state
18 board of regents appointed under K.S.A. 74-3203a, and amendments
19 thereto.

20 (b) "School of nursing" means a school within the state of Kansas
21 which is approved by the state board of nursing to grant a master of
22 science or doctoral degree in nursing.

23 (c) "Qualified applicant" means a person who: (1) Is a resident of the
24 state of Kansas; (2)(A) is a registered nurse who holds a baccalaureate
25 degree in nursing and has been accepted for admission to or is enrolled
26 in a course of instruction leading to a master of science in nursing; or (B)
27 is a registered nurse who holds a master of science degree in nursing and
28 has been accepted for admission to or is enrolled in a course of instruction
29 leading to a doctorate degree in nursing and (3) has qualified for the
30 award of a scholarship under the program on the basis of having dem-
31 onstrated scholastic ability and remains qualified on the basis of remaining
32 in good standing and making satisfactory progress toward completion of
33 the requirements of the course of instruction in which enrolled.

34 (d) "Program" means the nurse educator service scholarship program
35 established pursuant to this act.

36 (e) "Review Committee" or "committee" means the nurse educator
37 service scholarship application review committee established at each
38 school of nursing as required by section 3, and amendments thereto.

39 Sec. 3. (a) There is hereby established the nurse educator service
40 scholarship program.

41 (b) (1) The director of each school of nursing shall establish a nurse
42 educator service scholarship application review committee. Applications
43 for a scholarship under the program shall be submitted to the review

1 committee of the school of nursing at which the applicant has been ac-
2 cepted or is enrolled. Applications shall be on a form provided by the
3 school of nursing and shall be submitted in the manner and within the
4 time specified by the review committee. In addition to the information
5 required by the review committee, applications shall contain any addi-
6 tional information required by the executive officer. The committee shall
7 review the applications submitted to the committee and shall determine
8 which applicants are qualified to be recipients of scholarships. The review
9 committee of each school of nursing shall submit the list of all qualified
10 applicants at the school of nursing to the executive officer.

11 (2) Within the limitations of appropriations therefor, the determi-
12 nation of which qualified applicants which will be awarded scholarships
13 shall be made by the executive officer from the lists submitted pursuant
14 to paragraph (1). When making such determination, consideration shall
15 be given to minority applicants and to applicants having the greatest fi-
16 nancial need for scholarships.

17 (c) Within the limitations of appropriations therefor, scholarships
18 awarded under the program shall be awarded for the length of the course
19 of instruction in which the applicant is enrolled or admitted unless oth-
20 erwise terminated before the expiration of such period of time. If an
21 applicant is not enrolled on a full-time basis, the applicant shall receive a
22 proportionate amount of the tuition based upon the number of hours
23 enrolled in an academic period, as defined by the applicant's school of
24 nursing and computed as a fraction of the total number of credit hours
25 required for enrollment on a full-time basis. Such scholarships shall pro-
26 vide to a qualified applicant (1) if the applicant is enrolled in a school of
27 nursing operated by a state educational institution, an amount not to
28 exceed 70% of the cost of attendance for an academic year at the school
29 of nursing in which the applicant is enrolled or (2) if the applicant is
30 enrolled in a school of nursing not operated by a state educational insti-
31 tution, the lesser of (A) an amount not to exceed 70% of the cost of
32 attendance for a year at the school of nursing in which the applicant is
33 enrolled or (B) an amount not to exceed 70% of the average amount of
34 the cost of attendance for a year at the schools of nursing operated by
35 the state educational institutions. Subject to the limitation of appropri-
36 ations, the number of scholarships awarded and the amount of each schol-
37 arship shall be established annually by the executive officer.

38 Sec. 4. (a) As a condition to awarding a scholarship under the pro-
39 gram, the executive officer and the applicant for a scholarship shall enter
40 into an agreement which shall require that the scholarship recipient:

- 41 (1) Complete the required course of instruction;
- 42 (2) engage in the full-time teaching of nursing, or the equivalent to
43 full-time teaching of nursing in a nursing program in the state of Kansas,

1 in accordance with the agreement entered into by the scholarship recip-
2 ient and the executive officer and continue such full-time teaching, or the
3 equivalent to full-time practice, for a period of not less than one year for
4 each academic year for which the scholarship is awarded, or engage in
5 the part-time teaching of nursing in a nursing program in the state of
6 Kansas in accordance with the agreement entered into by the scholarship
7 recipient and the executive officer and continue such part-time teaching
8 for the total amount of time required under the agreement, which shall
9 be for a period of time that is equivalent to full-time, as determined by
10 the executive officer;

11 (3) commence the full-time teaching of nursing, or the equivalent to
12 full-time teaching, or the part-time teaching of nursing, within six months
13 after completion of the nurse education program in accordance with the
14 agreement entered into by the scholarship recipient and the executive
15 officer, continue such teaching for the total amount of time required
16 under the agreement and comply with such other terms and conditions
17 as may be specified by such agreement;

18 (4) maintain records and make reports to the executive officer as may
19 be required by the executive officer to document the satisfaction of the
20 obligations under the program; and

21 (5) upon failure to satisfy the obligation under any agreement entered
22 into under the program, repay to the state amounts as provided in section
23 5, and amendments thereto.

24 Sec. 5. (a) Except as provided in section 6, and amendments thereto,
25 upon the failure of any person to satisfy the obligation under any agree-
26 ment entered into pursuant to the program, such person shall pay to the
27 executive officer an amount equal to the total amount of money received
28 by such person pursuant to such agreement plus accrued interest at a
29 rate which is equivalent to the interest rate applicable to loans made
30 under the federal PLUS program at the time such person first entered
31 into an agreement plus five percentage points. Installment payments of
32 any such amounts may be made in accordance with the provisions of
33 agreements entered into by the scholarship recipient and the executive
34 officer, in accordance with rules and regulations of the state board of
35 regents, except that such installment payments shall commence six
36 months after the date of the action or circumstances that cause the failure
37 of the person to satisfy the obligations of such agreements, as determined
38 by the executive officer based upon the circumstances of each individual
39 case. Amounts paid under this section to the executive officer shall be
40 deposited in the nurse educator service scholarship repayment fund in
41 accordance with section 8, and amendments thereto.

42 (b) The state board of regents is authorized to turn any repayment
43 account arising under the program over to a designated loan servicer or

1 collection agency, the state not being involved other than to receive pay-
2 ments from the loan servicer or collection agency at the interest rate
3 prescribed under this section.

4 Sec. 6. (a) Except as otherwise specified in the agreement, an obli-
5 gation under any agreement entered into under the program shall be
6 postponed: (1) During any required period of active military service; (2)
7 during any period of service as a part of volunteers in service to America
8 (VISTA); (3) during any period of service in the peace corps; (4) during
9 any period of service commitment to the United States public health
10 service; (5) during any period of religious missionary work conducted by
11 an organization exempt from tax under section 501(c)(3) of the federal
12 internal revenue code as in effect on December 31, 2000; (6) during any
13 period of time the person obligated is unable because of temporary med-
14 ical disability to teach nursing; (7) during any period of time the person
15 obligated is enrolled and actively engaged on a full-time basis in a course
16 of study leading to a degree in the field of nursing which is higher than
17 that attained formerly by the person obligated; (8) during any period of
18 time the person obligated is on job-protected leave under the federal
19 family and medical leave act of 1993; or (9) during any period of time the
20 state board of regents determines that the person obligated is unable
21 because of special circumstances to teach nursing. Except for clauses (6),
22 (8) and (9), an obligation under any agreement entered into as provided
23 in the program shall not be postponed more than five years from the time
24 the obligation was to have been commenced under any such agreement.
25 An obligation under any agreement entered into as provided in the pro-
26 gram shall be postponed under clause (6) during the period of time the
27 medical disability exists. An obligation under any agreement entered into
28 as provided in the program shall be postponed under clause (8) during
29 the period of time the person obligated remains on FMLA leave. An
30 obligation under any agreement entered into as provided in the program
31 shall be postponed under clause (9) during the period of time the state
32 board of regents determines that the special circumstances exist. The
33 state board of regents shall adopt rules and regulations prescribing criteria
34 or guidelines for determination of the existence of special circumstances
35 causing an inability to satisfy an obligation under any agreement entered
36 into as provided in the program, and shall determine the documentation
37 required to prove the existence of such circumstances.

38 (b) An obligation under any agreement entered into as provided in
39 the program shall be satisfied: (1) If the obligation has been completed
40 in accordance with the agreement; (2) if the person obligated dies; (3) if,
41 because of permanent physical disability, the person obligated is unable
42 to satisfy the obligation; (4) if the person obligated fails to satisfy the
43 requirements for completion of the course of study after making the best

1 effort possible to do so; or (5) if the person obligated fails to satisfy all
2 requirements for a permanent license to practice nursing in Kansas or
3 has been denied a license after applying for a license and making the best
4 effort possible to obtain such license.

5 Sec. 7. The state board of regents may adopt rules and regulations
6 as necessary to administer the nurse educator service scholarship
7 program.

8 Sec. 8. (a) There is hereby created in the state treasury the nurse
9 educator service scholarship program fund. The executive officer shall
10 remit all moneys which are paid under section 4, and amendments
11 thereto, pursuant to scholarship awards, or from a school of nursing,
12 which are paid because of nonattendance or discontinued attendance by
13 scholarship recipients, to the state treasurer in accordance with the pro-
14 visions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each
15 such remittance, the state treasurer shall deposit the entire amount in the
16 state treasury to the credit of the nurse educator service scholarship pro-
17 gram fund. All expenditures from such fund shall be for scholarships
18 awarded under the program and shall be made in accordance with ap-
19 propriation acts upon warrants of the director of accounts and reports
20 issued pursuant to vouchers approved by the executive officer or by a
21 person designated by the executive officer.

22 (b) There is hereby created in the state treasury the nursing service
23 scholarship repayment fund. The executive officer shall remit all moneys
24 received for amounts paid under section 5, and amendments thereto, to
25 the state treasurer in accordance with the provisions of K.S.A. 75-4215,
26 and amendments thereto. Upon receipt of each such remittance the state
27 treasurer shall deposit the entire amount in the state treasury to the credit
28 of the nurse educator service scholarship repayment fund. All expendi-
29 tures from such fund shall be for scholarships awarded under the program
30 and shall be made in accordance with appropriation acts upon warrants
31 of the director of accounts and reports issued pursuant to vouchers ap-
32 proved by the executive officer or by a person designated by the executive
33 officer.

34 Sec. 9. This act shall take effect and be in force from and after its
35 publication in the statute book.