

SENATE BILL No. 100

By Senator Baumgardner

1-30

1 AN ACT concerning the nursing service scholarship program; scholarships
2 for mental health nurses; amending K.S.A. 74-3292, 74-3293, 74-3294
3 and 74-3297 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 74-3292 is hereby amended to read as follows: 74-
7 3292. As used in this act:

8 (a) "Committee" means the nursing service scholarship review
9 committee established under K.S.A. 74-3299, and amendments thereto.

10 (b) "Executive officer" means the chief executive officer of the state
11 board of regents appointed under K.S.A. 74-3203a, and amendments
12 thereto.

13 (c) "Mental health or treatment facility" means:

14 (1) Any private treatment facility as such term is defined in K.S.A. 59-
15 29b46, and amendments thereto;

16 (2) any public treatment facility as such term is defined in K.S.A. 59-
17 29b46, and amendments thereto;

18 (3) any community mental health center organized pursuant to the
19 provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto,
20 and licensed pursuant to K.S.A. 2016 Supp. 39-2001 et seq., and
21 amendments thereto;

22 (4) any mental health clinic organized pursuant to the provisions of
23 K.S.A. 65-211 through 65-215, and amendments thereto, and licensed
24 pursuant to K.S.A. 2016 Supp. 39-2001 et seq., and amendments thereto;

25 (5) any psychiatric hospital, psychiatric residential treatment facility
26 or residential care facility as such terms are defined in K.S.A. 2016 Supp.
27 39-2002, and amendments thereto;

28 (6) any hospital as defined in K.S.A. 65-425, and amendments
29 thereto, provided: (A) The hospital has a psychiatric unit; and (B) the
30 scholarship recipient is required to fulfill the nursing service scholarship's
31 employment obligations as an employee in the psychiatric unit of the
32 hospital; or

33 (7) Osawatomie state hospital, Rainbow mental health facility,
34 Larned state hospital, Parsons state hospital and training center or the
35 Kansas neurological institute.

36 (d) "Rural area" means any county of this state other than Douglas,

1 Johnson, Sedgwick, Shawnee and Wyandotte counties.
 2 (f) "School of nursing" means a school within the state of Kansas
 3 which is approved by the state board of nursing to grant an associate
 4 degree or a baccalaureate degree in professional nursing or a certificate of
 5 completion in practical nursing and is:

- 6 (1) *Under the control and supervision of the state board of regents;*
- 7 (2) *a municipal university; or*
- 8 (3) *a not-for-profit independent institution of higher education that*
 9 *has its main campus or principal place of operation in Kansas, maintains*
 10 *open enrollment as such term is defined in K.S.A. 74-32,120, and*
 11 *amendments thereto, and is operated independently and not controlled or*
 12 *administered by the state or any agency or subdivision thereof.*

13 (e) (f) "Sponsor" means any adult care home licensed under the adult
 14 care home licensure act, any medical care facility licensed under K.S.A.
 15 65-425 et seq., and amendments thereto, ~~any psychiatric hospital licensed~~
 16 ~~under K.S.A. 75-3307b, and amendments thereto;~~ any home health agency
 17 licensed under K.S.A. 65-5101 et seq., and amendments thereto, any local
 18 health department as defined in K.S.A. 65-241, and amendments thereto,
 19 *any mental health or treatment facility* and any state agency which
 20 employs licensed practical nurses or licensed professional nurses.

21 Sec. 2. K.S.A. 74-3293 is hereby amended to read as follows: 74-
 22 3293. (a) There is hereby established the nursing service scholarship
 23 program. A scholarship may be awarded under the nursing service
 24 scholarship program to any qualified nursing student enrolled in or
 25 admitted to a school of nursing in a course of instruction leading to
 26 licensure as a licensed professional nurse or licensed practical nurse. The
 27 number of new scholarships awarded under the nursing service scholarship
 28 program in each year shall not exceed 250. Of this number, except as
 29 otherwise provided in this section, 100 scholarships shall be awarded to
 30 nursing students whose sponsors are located in rural areas and who are
 31 enrolled in a course of instruction leading to licensure as a registered
 32 professional nurse, 50 scholarships shall be awarded to nursing students
 33 enrolled in a course of instruction leading to licensure as a licensed
 34 practical nurse and the remaining 100 scholarships shall be awarded to any
 35 nursing students who have a sponsor and who are enrolled in a course of
 36 instruction leading to licensure as a registered professional nurse. If all
 37 scholarships authorized to be awarded under this section to nursing
 38 students whose sponsors are located in rural areas have not been awarded
 39 by a date established by the state board of regents, the scholarships which
 40 have not been awarded by that date may be awarded to nursing students
 41 who have a sponsor and who are otherwise qualified to be awarded a
 42 scholarship under the nursing service scholarship program. The
 43 determination of the individuals qualified for such scholarships shall be

A nursing student shall not be required to be a resident of Kansas to qualify for a scholarship under the nursing service scholarship program.

1 made by the executive officer after seeking advice from the committee.
2 Within each scholarship category prescribed by this subsection,
3 scholarships shall be awarded on a priority basis to qualified applicants:
4 *(1) Whose sponsor is a mental health or treatment facility; and (2) who*
5 *have the greatest financial need for such scholarships.* To the extent
6 practicable and consistent with the other provisions of this section,
7 consideration shall be given to minority applicants.

8 (b) Scholarships awarded under the nursing service scholarship
9 program shall be awarded for the length of the course of instruction
10 leading to licensure as a licensed professional nurse or licensure as a
11 licensed practical nurse which the student is enrolled in or admitted to
12 unless otherwise terminated before the expiration of such period of time.
13 Such scholarships shall provide to a nursing student:

14 (1) If the nursing student is enrolled in a school of nursing operated
15 by a state educational institution, an amount not to exceed 70% of the cost
16 of attendance for an academic year at the school of nursing in which the
17 nursing student is enrolled; or

18 (2) if the nursing student is enrolled in a school of nursing not
19 operated by a state educational institution, the lesser of: (A) An amount
20 not to exceed 70% of the cost of attendance for a year at the school of
21 nursing in which the nursing student is enrolled; or (B) an amount not to
22 exceed 70% of the average amount of the cost of attendance for a year at
23 the schools of nursing operated by the state educational institutions.

24 (c) The amount of each scholarship shall be established annually by
25 the executive officer and shall be financed equally by the sponsor of the
26 nursing student and by the state of Kansas except that if:

27 (1) The sponsor is located in a rural area or is a health care facility
28 which has less than 100 beds, and is not a mental health or treatment
29 facility pursuant to K.S.A. 74-3292(c)(1), (c)(5) or (c)(6), and amendments
30 thereto, the total amount of the scholarship financed by such sponsor shall
31 not exceed \$1,000 and the balance of such amount shall be paid by the
32 state of Kansas; or

33 (2) the sponsor is a mental health or treatment facility pursuant to
34 K.S.A. 74-3292(c)(2), (c)(3), (c)(4) or (c)(7), and amendments thereto, the
35 amount of the scholarship shall be paid by the state and such sponsor
36 shall not finance any amount of the scholarship.

37 Sec. 3. K.S.A. 74-3294 is hereby amended to read as follows: 74-
38 3294. (a) An applicant for a scholarship under the nursing service
39 scholarship program shall provide to the executive officer, on forms
40 supplied by the executive officer, the following information:

- 41 (1) The name and address of the applicant;
- 42 (2) the name and address of the school of nursing in which the
43 applicant is enrolled or to which the applicant has been admitted;

1 (3) the name and address of the sponsor of the applicant and a
2 verified copy of the agreement entered into by the applicant and the
3 sponsor in accordance with the provisions of the nursing service
4 scholarship program; and

5 (4) any additional information which may be required by the
6 executive officer.

7 (b) As a condition to awarding a scholarship under the nursing
8 service scholarship program, the executive officer and the applicant for a
9 scholarship shall enter into an agreement which shall require that the
10 scholarship recipient:

11 (1) Complete the required course of instruction and attain licensure
12 with the Kansas state board of nursing as a licensed professional nurse or a
13 licensed practical nurse;

14 (2) engage in the full-time practice of nursing, or the equivalent to
15 full-time practice, in the employment of the sponsor in accordance with
16 the agreement entered into by the scholarship recipient and the sponsor
17 and continue such full-time practice, or the equivalent to full-time practice,
18 for the total amount of time required under the agreement, which shall be
19 for a period of not less than the length of the course of instruction for
20 which scholarship assistance was provided, or engage in the part-time
21 practice of nursing in the employment of the sponsor in accordance with
22 the agreement entered into by the scholarship recipient and the sponsor
23 and continue such part-time practice for the total amount of time required
24 under the agreement, which shall be for a period of time that is equivalent
25 to full time, as determined by the state board of regents, multiplied by the
26 length of the course of instruction for which scholarship assistance was
27 provided;

28 (3) commence the full-time practice of nursing, or the equivalent to
29 full-time practice, or the part-time practice of nursing, within six months
30 after registration in accordance with the agreement entered into by the
31 scholarship recipient and the sponsor, continue such practice for the total
32 amount of time required under the agreement, and comply with such other
33 terms and conditions as may be specified by such agreement;

34 (4) maintain records and make reports to the executive officer as may
35 be required by the executive officer to document the satisfaction of the
36 obligations under the nursing service scholarship program and under
37 agreements entered into with the sponsor; and

38 (5) upon failure to satisfy an agreement to engage in the full-time
39 practice of nursing, or the equivalent to full-time practice, or the part-time
40 practice of nursing, for the required period of time under any such
41 agreement, repay to the state and to the sponsor amounts as provided in
42 K.S.A. 74-3295, and amendments thereto.

43 (c) Upon the awarding of a scholarship under the nursing service

1 scholarship program, the sponsor shall pay to the executive officer the
2 amount of such scholarship to be financed by the sponsor, *if any*. Each
3 such amount shall be deposited in the nursing service scholarship program
4 fund in accordance with K.S.A. 74-3298, and amendments thereto.

5 (d) The sponsorship by a scholarship recipient may be transferred
6 from one sponsor to another upon the agreement of the original sponsor,
7 the scholarship recipient and the sponsor to which the sponsorship is to be
8 transferred. The terms, conditions and obligations of the transferred
9 agreement shall be substantially similar to the terms, conditions and
10 obligations of the original agreement. No sponsorship shall be transferred
11 unless the agreement transferring such sponsorship provides for service in
12 a rural area *or in a mental health or treatment facility* and is approved by
13 the executive officer as consistent with the provisions of the nursing
14 service scholarship program and as consistent with any rules and
15 regulations relating thereto adopted by the state board of regents in
16 accordance with the provisions of K.S.A. 74-3297, and amendments
17 thereto.

18 Sec. 4. K.S.A. 74-3297 is hereby amended to read as follows: 74-
19 3297. (a) The state board of regents, after consultation with the committee,
20 may adopt rules and regulations establishing minimum terms, conditions
21 and obligations which shall be incorporated into the provisions of any
22 agreement entered into between a sponsor and the recipient of a
23 scholarship under the nursing service scholarship program. The terms,
24 conditions and obligations shall be consistent with the provisions of law
25 relating to the nursing service scholarship program. The terms, conditions
26 and obligations so established shall include, but not be limited to, the
27 terms of eligibility for financial assistance under the nursing service
28 scholarship program, the amount of financial assistance to be offered, the
29 length of employment with the sponsor required as a condition to the
30 receipt of such financial assistance, the circumstances under which the
31 employment obligation may be discharged or forgiven, the amount of
32 money required to be repaid because of failure to satisfy the obligations
33 under an agreement and the method of repayment and such other
34 additional provisions as may be necessary to carry out the provisions of
35 the nursing service scholarship program. The state board of regents, after
36 consultation with the committee, shall adopt rules and regulations as
37 necessary to administer the nursing service scholarship program.

38 (b) *The state board of regents shall provide an annual written report*
39 *on the nursing service scholarship program to the senate and house*
40 *committees on education.*

41 Sec. 5. K.S.A. 74-3292, 74-3293, 74-3294 and 74-3297 are hereby
42 repealed.

43 Sec. 6. This act shall take effect and be in force from and after its

- 1 publication in the statute book.