

By: Pena

H.B. No. 3061

A BILL TO BE ENTITLED

AN ACT

relating to the creation and administration of the professional nurse graduate education scholarship program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 61, Education Code, is amended by adding Subchapter FF to read as follows:

SUBCHAPTER FF. PROFESSIONAL

NURSE GRADUATE EDUCATION SCHOLARSHIP PROGRAM

Sec. 61.9831. DEFINITIONS. In this subchapter:

(1) "Graduate professional nursing program" means an educational program:

(A) of a public or private institution of higher education in this state;

(B) that leads to a master's or doctoral degree in nursing; and

(C) that is approved by the board or the Board of Nurse Examiners.

(2) "Professional nursing" has the meaning assigned by Section 301.002, Occupations Code.

(3) "Undergraduate professional nursing program" means an educational program:

(A) of a public or private institution of higher education in this state;

(B) that prepares students for initial licensure

1 as registered nurses; and

2 (C) that is approved by the board or the Board of
3 Nurse Examiners.

4 Sec. 61.9832. SCHOLARSHIP PROGRAM; AMOUNT OF SCHOLARSHIP.

5 (a) In accordance with this subchapter and board rules, the board
6 shall establish and administer a program to award scholarships to
7 students who:

8 (1) are enrolled in graduate professional nursing
9 programs; and

10 (2) agree to be employed to teach in undergraduate or
11 graduate professional nursing programs for a specified period.

12 (b) The amount of a scholarship under this subchapter for an
13 academic year is equal to the lesser of:

14 (1) \$20,000; or

15 (2) the total amount of tuition and mandatory fees
16 that the institution that offers the graduate professional nursing
17 program in which the scholarship recipient is enrolled charges the
18 recipient for that academic year for semester credit hours for
19 which the recipient may use the scholarship as provided by
20 Subsection (c).

21 (c) A student may use a scholarship under this subchapter
22 only to pay tuition and mandatory fees for a semester credit hour
23 that is required for completion of the degree program in which the
24 student is enrolled.

25 Sec. 61.9833. ELIGIBILITY. (a) To be eligible to receive a
26 scholarship under this subchapter, a person must:

27 (1) be enrolled in a graduate professional nursing

1 program; and

2 (2) enter into an agreement with the board as provided
3 by Section 61.9834.

4 (b) If in any year the amount of money available for
5 scholarships under this subchapter is insufficient to award a
6 scholarship to each eligible applicant or if there are more
7 eligible applicants than the number of scholarships authorized by
8 this section, the board shall establish criteria to determine which
9 eligible applicants will be granted scholarships as the board
10 determines appropriate to further the purposes of this subchapter.

11 Sec. 61.9834. AGREEMENT REQUIREMENTS. (a) To qualify for a
12 scholarship under this subchapter, a person must enter into a
13 written agreement with the board as provided by this section. The
14 agreement must:

15 (1) specify the conditions the person must satisfy to
16 receive the scholarship award in any academic year the person is
17 enrolled in the graduate professional nursing program;

18 (2) require the person to remain continuously enrolled
19 in a graduate professional nursing program;

20 (3) require the person to earn a master's or doctoral
21 degree through completion of a graduate professional nursing
22 program;

23 (4) require the person to accept, not later than the
24 first anniversary of the date the person earns a degree described by
25 Subdivision (3), an offer of full-time employment to teach in an
26 undergraduate or graduate professional nursing program;

27 (5) beginning on the date the person first becomes

1 employed as described by Subdivision (4), require the person to
2 complete five consecutive academic years of that full-time
3 employment;

4 (6) provide that any scholarship award the person
5 receives under this subchapter constitutes a loan until the person:

6 (A) subject to Section 61.9835, satisfies the
7 requirements of Subdivision (5) and any other applicable conditions
8 of the agreement; or

9 (B) is excused from the repayment obligation in
10 accordance with law; and

11 (7) require the person to sign a promissory note
12 acknowledging the conditional nature of the scholarship award
13 received and promising to repay any unforgiven amount of that award
14 plus applicable interest and reasonable collection costs if the
15 person does not satisfy the applicable conditions and is not
16 excused from the repayment obligation in accordance with law.

17 (b) The board shall determine the terms of the promissory
18 note required by Subsection (a)(7). To the extent practicable, the
19 terms must be the same as those applicable to state or federally
20 guaranteed student loans made at the same time.

21 Sec. 61.9835. EXCEPTIONS TO SCHOLARSHIP OBLIGATIONS. (a)
22 A person is not considered to be in violation of the continuous
23 enrollment obligations in the agreement described by Section
24 61.9834 if the person is unable to remain continuously enrolled in
25 the person's degree program, remain continuously employed as
26 required by Section 61.9834(a)(5), or to satisfy any other
27 condition specified by the board solely because of a hardship or

1 other good cause, as determined by the board, including for a reason
2 specified by Subsection (b)(2) or (3).

3 (b) A person is not considered to be in violation of the
4 employment obligation in the agreement described by Section 61.9834
5 during any period in which the person:

6 (1) is pursuing a full-time course of study:

7 (A) related to the field of professional nursing;

8 (B) offered by a public or private institution of
9 higher education in this state; and

10 (C) approved by the appropriate licensing or
11 higher education authority;

12 (2) is serving on active duty as a member of the armed
13 forces of the United States, including as a member of a reserve
14 force or National Guard called to active duty;

15 (3) is temporarily totally disabled for a period not
16 to exceed 36 months as established by the affidavit of a qualified
17 physician;

18 (4) is unable to secure employment for a period not to
19 exceed 12 months because of care required by a disabled spouse or
20 child;

21 (5) is seeking and unable to find, for a single period
22 not to exceed 12 months, full-time employment in the applicable
23 field; or

24 (6) satisfies the provisions of any other employment
25 exception adopted by the board.

26 (c) A person is excused from the repayment obligation in a
27 promissory note described by Section 61.9834 if:

1 (1) the person becomes permanently totally disabled as
2 established by the affidavit of a qualified physician; or

3 (2) the board waives repayment in the case of extreme
4 hardship to the person.

5 Sec. 61.9836. FORGIVENESS OF REPAYMENT OBLIGATION. The
6 board shall forgive 20 percent of the total amount required to be
7 repaid according to the promissory note under Section 61.9834(7)
8 for each complete academic year the person teaches in an
9 undergraduate or graduate professional nursing program in
10 accordance with the agreement under Section 61.9834 after earning a
11 degree as required by Subsection (a)(3) of that section.

12 Sec. 61.9837. GRANTS, GIFTS, AND DONATIONS. In addition to
13 money appropriated by the legislature, the board may solicit and
14 accept grants, gifts, and donations from any public or private
15 source for the purposes of this subchapter.

16 Sec. 61.9838. RULES. (a) The board shall adopt rules to
17 administer this subchapter, including rules:

18 (1) providing for the manner in which a student may
19 apply for a scholarship; and

20 (2) providing for notification of the scholarship
21 program under this subchapter to students enrolled in an
22 undergraduate or graduate professional nursing program.

23 (b) The board shall distribute a copy of the rules adopted
24 under this section to each undergraduate or graduate professional
25 nursing program.

26 Sec. 61.9839. REPORT. As part of the biennial report
27 required by Section 61.051(a-3), the board shall include

1 information for the preceding biennium concerning:

2 (1) the number of scholarships awarded under this
3 subchapter;

4 (2) the amount and sources of funds used to award the
5 scholarships; and

6 (3) any other program information that the board
7 determines would be helpful to the legislature.

8 SECTION 2. Not later than December 31, 2007, the Texas
9 Higher Education Coordinating Board shall adopt rules for the
10 professional nurse graduate education scholarship program under
11 Subchapter FF, Chapter 61, Education Code, as added by this Act.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2007.