

By: Nelson

S.B. No. 202

A BILL TO BE ENTITLED

1 AN ACT

2 relating to incentives to recruit and retain allied health
3 education program faculty.

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

5 SECTION 1. Subchapter D, Chapter 54, Education Code, is
6 amended by adding Sections 54.223 and 54.224 to read as follows:

7 Sec. 54.223. CHILDREN OF ALLIED HEALTH PROGRAM FACULTY.

8 (a) In this section:

9 (1) "Allied health profession" means the profession
10 practiced by an allied health professional, as defined by 42 U.S.C.
11 Section 295p, except the term does not include acupuncture.

12 (2) "Child" means a child 25 years of age or younger
13 and includes an adopted child.

14 (3) "Graduate allied health program" means a master's
15 or doctoral degree program in an allied health profession that is
16 accredited by an accrediting entity recognized by the United States
17 Department of Education.

18 (4) "Undergraduate allied health program" means an
19 undergraduate degree or certificate program that:

20 (A) prepares students for initial licensure,
21 certification, or registration in an allied health profession; and

22 (B) is accredited by an accrediting entity
23 recognized by the United States Department of Education.

24 (b) The governing board of an institution of higher

1 education shall exempt from the payment of tuition a resident of
2 this state enrolled as an undergraduate student at the institution
3 who is a child of a person who, at the beginning of the semester or
4 other academic term for which the exemption is sought, holds a
5 master's or doctoral degree in an allied health profession, if not
6 employed or under contract as a teaching assistant under
7 Subdivision (1) or (2), or a baccalaureate degree in an allied
8 health profession, if employed or under contract as a teaching
9 assistant under Subdivision (1) or (2), and:

10 (1) is employed by the institution as a full-time
11 member of the faculty or staff of an undergraduate or graduate
12 allied health program with duties that include teaching, serving as
13 a teaching assistant, performing research, serving as an
14 administrator, or performing other professional services; or

15 (2) has contracted with the institution to serve as a
16 full-time member of the faculty or staff of an undergraduate or
17 graduate allied health program to perform duties described by
18 Subdivision (1) during all or part of the semester or other academic
19 term for which an exemption is sought or, if the child is enrolled
20 for a summer session, during all or part of that session or for the
21 next academic year.

22 (c) A child who would qualify for an exemption under this
23 section but for the fact that the child's parent is not employed
24 full-time is eligible for an exemption on a pro rata basis equal to
25 the percentage of full-time employment the parent is employed,
26 except that a parent employed for less than 25 percent of full-time
27 employment is considered to be employed for 25 percent of full-time

1 employment.

2 (d) A person is not eligible for an exemption under this
3 section if the person:

4 (1) has previously received an exemption under this
5 section for 10 semesters or summer sessions at any institution or
6 institutions of higher education; or

7 (2) has received a baccalaureate degree.

8 (e) For purposes of Subsection (d), a summer session that is
9 less than nine weeks in duration is considered one-half of a summer
10 session.

11 (f) The tuition exemption provided by this section applies
12 only to enrollment of a child at the institution at which the
13 child's parent is employed or is under contract.

14 (g) The Texas Higher Education Coordinating Board shall
15 adopt:

16 (1) rules governing the granting or denial of an
17 exemption under this section, including rules relating to the
18 determination of eligibility for an exemption; and

19 (2) a uniform application form for an exemption under
20 this section.

21 Sec. 54.224. PRECEPTORS FOR ALLIED HEALTH PROGRAMS. (a) In
22 this section, "allied health profession," "child," and
23 "undergraduate allied health program" have the meanings assigned by
24 Section 54.223.

25 (b) The governing board of an institution of higher
26 education shall exempt from the payment of \$500 of the total amount
27 of tuition a resident of this state enrolled as a student at the

1 institution who:

2 (1) holds a license, certificate, or registration in
3 an allied health profession; and

4 (2) is serving under a written preceptor agreement
5 with an undergraduate allied health program as a clinical preceptor
6 for students enrolled in the program for the semester or other
7 academic term for which the exemption is sought.

8 (c) The governing board of an institution of higher
9 education shall exempt from the payment of \$500 of the total amount
10 of tuition a resident of this state enrolled as an undergraduate
11 student at the institution who is a child of a person who meets the
12 requirements of Subsections (b)(1) and (2).

13 (d) Notwithstanding Subsections (b) and (c), if a person
14 eligible for an exemption under this section owes less than \$500 in
15 tuition, the governing board of the institution of higher education
16 in which the person is enrolled shall exempt the person from the
17 payment of only the amount of tuition the person owes.

18 (e) A person is not eligible for an exemption under
19 Subsection (c) if the person:

20 (1) has previously received an exemption under this
21 section for 10 semesters or summer sessions at any institution or
22 institutions of higher education; or

23 (2) has received a baccalaureate degree.

24 (f) For purposes of Subsection (e), a summer session that is
25 less than nine weeks in duration is considered one-half of a summer
26 session.

27 (g) The Texas Higher Education Coordinating Board shall

1 adopt:

2 (1) rules governing the granting or denial of an
3 exemption under this section, including rules relating to the
4 determination of eligibility for an exemption; and

5 (2) a uniform application form for an exemption under
6 this section.

7 SECTION 2. Chapter 61, Education Code, is amended by adding
8 Subchapter EE to read as follows:

9 SUBCHAPTER EE. ALLIED HEALTH FACULTY ENHANCEMENT GRANTS

10 Sec. 61.9751. DEFINITIONS. In this subchapter:

11 (1) "Allied health profession" has the meaning
12 assigned by Section 54.223.

13 (2) "Allied health program" means a degree or
14 certificate program of a public or private institution of higher
15 education in this state that:

16 (A) prepares students for initial licensure,
17 certification, or registration in an allied health profession; and

18 (B) is accredited by an accrediting entity
19 recognized by the United States Department of Education.

20 Sec. 61.9752. ALLIED HEALTH FACULTY ENHANCEMENT GRANTS.

21 The board may award allied health faculty enhancement grants to
22 allied health programs to assist the programs in the education,
23 recruitment, or retention of faculty members to enable the programs
24 to train students to meet the state's need for health care providers
25 in the allied health professions generally or in specific allied
26 health professions as the board determines appropriate.

27 Sec. 61.9753. USE OF GRANT. A grant awarded under this

1 subchapter may be used only for a purpose specified by Section
2 61.9752, including providing salary supplements and enhancements
3 and reducing the number of hours a faculty member must teach.

4 Sec. 61.9754. MATCHING FUNDS FOR GRANT. In awarding a grant
5 under this subchapter, the board may require the receiving
6 institution to provide matching funds or may give preference in
7 awarding a grant to an institution that provides matching funds.

8 Sec. 61.9755. ADVISORY COMMITTEE. The board may appoint an
9 advisory committee to advise the board on successful strategies, in
10 addition to the grants awarded under this subchapter, for
11 educating, recruiting, or retaining qualified allied health
12 program faculty members who hold master's or doctoral degrees.

13 SECTION 3. Subchapter B, Chapter 1372, Government Code, is
14 amended by adding Section 1372.0224 to read as follows:

15 Sec. 1372.0224. DEDICATION OF PORTION OF STATE CEILING FOR
16 ALLIED HEALTH PROGRAM FACULTY MEMBER HOME LOAN PROGRAM. Until
17 August 1, out of that portion of the state ceiling that is available
18 exclusively for reservations by issuers of qualified mortgage bonds
19 under Section 1372.022, \$5 million shall be allotted each year and
20 made available exclusively to the Texas State Affordable Housing
21 Corporation for the purpose of issuing qualified mortgage bonds in
22 connection with the allied health program faculty member home loan
23 program established under Section 2306.5623.

24 SECTION 4. Sections 2306.553(a) and (b), Government Code,
25 are amended to read as follows:

26 (a) The public purpose of the corporation is to perform
27 activities and services that the corporation's board of directors

1 determines will promote the public health, safety, and welfare
2 through the provision of adequate, safe, and sanitary housing
3 primarily for individuals and families of low, very low, and
4 extremely low income and[7] for persons who are eligible for loans
5 ~~[professional educators]~~ under the ~~[professional educators]~~ home
6 loan programs ~~[program as]~~ provided by Sections ~~[Section]~~ 2306.562,
7 ~~[for fire fighters, corrections officers, county jailers, public~~
8 ~~security officers, and peace officers under the fire fighter, law~~
9 ~~enforcement officer, and security officer home loan program as~~
10 ~~provided by Section]~~ 2306.5621, ~~[and for professional nursing~~
11 ~~program faculty members under the professional nursing program~~
12 ~~faculty member home loan program as provided by Section]~~ 2306.5622,
13 and 2306.5623. The activities and services shall include engaging
14 in mortgage banking activities and lending transactions and
15 acquiring, holding, selling, or leasing real or personal property.

16 (b) The corporation's primary public purpose is to
17 facilitate the provision of housing by issuing qualified 501(c)(3)
18 bonds and qualified residential rental project bonds and by making
19 affordable loans to individuals and families of low, very low, and
20 extremely low income and[7] to persons who are eligible for loans
21 under the home loan programs provided by Sections 2306.562,
22 2306.5621, 2306.5622, and 2306.5623 ~~[professional educators under~~
23 ~~the professional educators home loan program, to fire fighters,~~
24 ~~corrections officers, county jailers, public security officers,~~
25 ~~and peace officers under the fire fighter, law enforcement officer,~~
26 ~~and security officer home loan program, and to professional nursing~~
27 ~~program faculty members under the professional nursing program~~

1 ~~faculty member home loan program~~]. The corporation may make first
2 lien, single family purchase money mortgage loans for single family
3 homes only to individuals and families of low, very low, and
4 extremely low income if the individual's or family's household
5 income is not more than the greater of 60 percent of the median
6 income for the state, as defined by the United States Department of
7 Housing and Urban Development, or 60 percent of the area median
8 family income, adjusted for family size, as defined by that
9 department. The corporation may make loans for multifamily
10 developments if:

11 (1) at least 40 percent of the units in a multifamily
12 development are affordable to individuals and families with incomes
13 at or below 60 percent of the median family income, adjusted for
14 family size; or

15 (2) at least 20 percent of the units in a multifamily
16 development are affordable to individuals and families with incomes
17 at or below 50 percent of the median family income, adjusted for
18 family size.

19 SECTION 5. Subchapter Y, Chapter 2306, Government Code, is
20 amended by adding Section 2306.5623 to read as follows:

21 Sec. 2306.5623. ALLIED HEALTH PROGRAM FACULTY MEMBER HOME
22 LOAN PROGRAM. (a) In this section:

23 (1) "Graduate allied health program" and
24 "undergraduate allied health program" have the meanings assigned by
25 Section 54.223, Education Code.

26 (2) "Home" means a dwelling in this state in which an
27 allied health program faculty member intends to reside as the

1 faculty member's principal residence.

2 (3) "Mortgage lender" has the meaning assigned by
3 Section 2306.004.

4 (4) "Allied health program faculty member" means a
5 full-time member of the faculty of an undergraduate or graduate
6 allied health program of a public or private institution of higher
7 education in this state.

8 (5) "Program" means the allied health program faculty
9 member home loan program.

10 (b) The corporation shall establish a program to provide
11 eligible allied health program faculty members with low-interest
12 home mortgage loans.

13 (c) To be eligible for a loan under this section, at the time
14 a person files an application for the loan, the person must:

15 (1) be an allied health program faculty member;

16 (2) reside in this state; and

17 (3) have an income of not more than 115 percent of area
18 median family income, adjusted for family size.

19 (d) The corporation may contract with other agencies of the
20 state or with private entities to determine whether applicants
21 qualify as allied health program faculty members under this section
22 or otherwise to administer all or part of this section.

23 (e) The board of directors of the corporation may set and
24 collect from each applicant any fees the board considers reasonable
25 and necessary to cover the expenses of administering the program.

26 (f) The board of directors of the corporation shall adopt
27 rules governing:

1 (1) the administration of the program;

2 (2) the making of loans under the program;

3 (3) the criteria for approving mortgage lenders;

4 (4) the use of insurance on the loans and the homes
5 financed under the program, as considered appropriate by the board
6 to provide additional security for the loans;

7 (5) the verification of occupancy of the home by the
8 allied health program faculty member as the allied health program
9 faculty member's principal residence; and

10 (6) the terms of any contract made with any mortgage
11 lender for processing, originating, servicing, or administering
12 the loans.

13 (g) The corporation shall ensure that a loan under this
14 section is structured in a way that complies with any requirements
15 associated with the source of the funds used for the loan.

16 (h) In addition to funds set aside for the program under
17 Section 1372.0224, the corporation may solicit and accept funding
18 for the program from the following sources:

19 (1) gifts and grants for the purposes of this section;

20 (2) available money in the housing trust fund
21 established under Section 2306.201, to the extent available to the
22 corporation;

23 (3) federal block grants that may be used for the
24 purposes of this section, to the extent available to the
25 corporation;

26 (4) other state or federal programs that provide money
27 that may be used for the purposes of this section; and

1 (5) amounts received by the corporation in repayment
2 of loans made under this section.

3 (i) This section expires September 1, 2018.

4 SECTION 6. (a) Except as provided by Subsection (b) of this
5 section, Sections 54.223 and 54.224, Education Code, as added by
6 this Act, take effect beginning with the 2008 fall semester.

7 (b) Not later than January 1, 2008, the Texas Higher
8 Education Coordinating Board shall adopt rules and forms relating
9 to tuition exemptions under Sections 54.223 and 54.224, Education
10 Code, as added by this Act.

11 SECTION 7. The Texas State Affordable Housing Corporation
12 shall:

13 (1) aggressively pursue funding for the allied health
14 program faculty member home loan program required by Section
15 2306.5623, Government Code, as added by this Act; and

16 (2) implement the allied health program faculty member
17 home loan program required by that section not later than September
18 1, 2007, or as soon thereafter as practicable.

19 SECTION 8. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2007.