

By: Nelson

S.B. No. 706

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Subchapter D, Chapter 54, Education Code, is amended by adding Sections 54.225 and 54.226 to read as follows:

Sec. 54.225. CHILDREN OF ALLIED HEALTH PROGRAM FACULTY.

(a) In this section:

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

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

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

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

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

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

(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:

5 (1) holds a master's or doctoral degree in an allied  
6 health profession, if employed or under contract to serve in a  
7 position other than as a teaching assistant under Subdivision (2),  
8 or holds a baccalaureate degree in an allied health profession, if  
9 employed or under contract to serve as a teaching assistant under  
10 Subdivision (2); and

11 (2) meets either of the following requirements:

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

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

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

1 except that a parent employed for less than 25 percent of full-time  
2 employment is considered to be employed for 25 percent of full-time  
3 employment.

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

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

9 (2) has received a baccalaureate degree.

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

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

16 (g) The Texas Higher Education Coordinating Board shall  
17 adopt:

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

21 (2) a uniform application form for an exemption under  
22 this section.

23 Sec. 54.226. PRECEPTORS FOR ALLIED HEALTH PROGRAMS. (a) In  
24 this section, "allied health profession," "child," and  
25 "undergraduate allied health program" have the meanings assigned by  
26 Section 54.225.

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

1 education shall exempt a person from the payment of \$500 of the  
2 total amount of tuition otherwise charged to a resident of this  
3 state if the person is enrolled as a student at the institution and:

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

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

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

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

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

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

26 (2) has received a baccalaureate degree.

27 (f) For purposes of Subsection (e), a summer session that is

1 less than nine weeks in duration is considered one-half of a summer  
2 session.

3 (g) The Texas Higher Education Coordinating Board shall  
4 adopt:

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

8 (2) a uniform application form for an exemption under  
9 this section.

10 SECTION 2. Chapter 61, Education Code, is amended by adding  
11 Subchapter JJ to read as follows:

12 SUBCHAPTER JJ. ALLIED HEALTH FACULTY ENHANCEMENT GRANTS

13 Sec. 61.9871. DEFINITIONS. In this subchapter:

14 (1) "Allied health profession" has the meaning  
15 assigned by Section 54.225.

16 (2) "Allied health program" means a degree or  
17 certificate program of a public or private institution of higher  
18 education in this state that:

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

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

23 Sec. 61.9872. ALLIED HEALTH FACULTY ENHANCEMENT GRANTS.

24 The board may award allied health faculty enhancement grants to  
25 allied health programs to assist the programs in the education,  
26 recruitment, or retention of faculty members to enable the programs  
27 to train students to meet the state's need for health care providers

1 in the allied health professions generally or in specific allied  
2 health professions as the board determines appropriate.

3 Sec. 61.9873. USE OF GRANT. A grant awarded under this  
4 subchapter may be used only for a purpose specified by Section  
5 61.9872, including providing salary supplements and enhancements  
6 and reducing the number of hours a faculty member must teach.

7 Sec. 61.9874. MATCHING FUNDS FOR GRANT. In awarding a grant  
8 under this subchapter, the board may require the receiving  
9 institution to provide matching funds or may give preference in  
10 awarding a grant to an institution that provides matching funds.

11 Sec. 61.9875. ADVISORY COMMITTEE. The board may appoint an  
12 advisory committee to advise the board on successful strategies, in  
13 addition to the grants awarded under this subchapter, for  
14 educating, recruiting, or retaining qualified allied health  
15 program faculty members who hold master's or doctoral degrees.

16 SECTION 3. (a) Except as provided by Subsection (b) of this  
17 section, Sections 54.225 and 54.226, Education Code, as added by  
18 this Act, apply beginning with the 2010 fall semester.

19 (b) Not later than January 1, 2010, the Texas Higher  
20 Education Coordinating Board shall adopt rules and forms relating  
21 to tuition exemptions under Sections 54.225 and 54.226, Education  
22 Code, as added by this Act.

23 SECTION 4. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2009.