88R24599 MM-F

By:  Kolkhorst, et al. S.B. No. 25

(Klick)

Substitute the following for S.B. No. 25:

By:  Kuempel C.S.S.B. No. 25

A BILL TO BE ENTITLED

AN ACT

relating to support for nursing-related postsecondary education, including scholarships to nursing students, loan repayment assistance to nurses and nursing faculty, and grants to nursing education programs.

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

SECTION 1.  Section 61.651(1), Education Code, is amended to read as follows:

(1)  "Professional nursing student" means a student enrolled in:

(A)  an institution of higher education; or

(B)  a nonprofit, tax-exempt, regionally accredited college or university operating in accordance with a memorandum of understanding with this state under an executive order issued by the governor [~~a private or independent institution of higher education~~] in a course of study leading to an initial or an advanced degree in professional nursing.

SECTION 2.  Section 61.655, Education Code, is amended to read as follows:

Sec. 61.655.  PURPOSE; ELIGIBILITY. (a) A scholarship program[~~, matching fund program,~~] or loan repayment program established under this subchapter shall be established and administered in a manner that the board determines best promotes the health care and educational needs of this state.

(b)  The board may establish multiple categories of persons to receive scholarships[~~, matching funds,~~] and loan repayments. The board may include faculty from professional nursing programs with master's degrees or doctorates among the categories of persons authorized to receive loan repayments.

(c)  Each year funds are available, the board shall establish the categories of persons eligible to receive scholarships[~~, matching funds,~~] and loan repayments and the criteria for selecting persons to be assisted under each category. The criteria:

(1)  must include that the person be enrolled in, or have outstanding student loans for education received at, as applicable to the program:

(A)  an institution of higher education; or

(B)  a nonprofit college or university described by Section 61.651(1)(B); and

(2)  may include:

(A) [~~(1)~~]  scholastic ability and performance;

(B) [~~(2)~~]  financial need;

(C) [~~(3)~~]  the geographical area in which the person is likely to practice;

(D) [~~(4)~~]  whether the person receives Temporary Assistance for Needy Families [~~Aid to Families with Dependent Children~~] or participates in another public welfare program;

(E) [~~(5)~~]  employment by a state agency;

(F) [~~(6)~~]  employment on a nursing school faculty or a person's intention to seek employment on a nursing school faculty;

(G) [~~(7)~~]  whether the person is practicing in a geographical area, a practice setting, or an area of practice with an acute nursing shortage or is likely to practice in such an area;

(H) [~~(8)~~]  the type of certificate or academic degree held or pursued; or

(I) [~~(9)~~]  any additional factors the board considers relevant to promoting the health care and educational needs of the state.

SECTION 3.  Section 61.656, Education Code, is amended by amending Subsection (d) and adding Subsection (e) to read as follows:

(d)  The board shall distribute information about the scholarship program[~~, matching fund program,~~] and loan repayment program established under this subchapter to:

(1)  employers of registered nurses or licensed vocational nurses;

(2)  associations of employers;

(3)  schools and educational programs for registered nurses or licensed vocational nurses; and

(4)  professional associations of registered nurses or licensed vocational nurses.

(e)  The rules adopted under this section must provide that not more than 10 percent of the total amount of scholarships or repayment assistance awarded under a program established under this subchapter in a year may be awarded to persons enrolled in, or for the repayment of student loans for education received at, as applicable to the program, a nonprofit college or university described by Section 61.651(1)(B).

SECTION 4.  Section 61.658(b), Education Code, is amended to read as follows:

(b)  The board may structure the scholarship program[~~, the matching fund program,~~] and the loan repayment program established under this subchapter to secure funds available under federal matching programs.

SECTION 5.  Chapter 61, Education Code, is amended by adding Subchapter Z-1 to read as follows:

SUBCHAPTER Z-1. GRANT PROGRAMS SUPPORTING NURSING EDUCATION AND TRAINING

Sec. 61.9641.  DEFINITIONS. In this subchapter:

(1)  "Clinical site" means an acute care or rehabilitation facility, a primary care setting, a long-term care facility, a nursing home, a residential care setting, or any other site identified by the board as providing clinical learning experiences for nursing students.

(2)  "Nursing advisory committee" means the nursing advisory committee established under Section 104.0155, Health and Safety Code.

Sec. 61.9642.  CLINICAL SITE NURSE PRECEPTOR GRANT PROGRAM. (a) The board, in consultation with the nursing advisory committee, shall establish and administer a program to award grants to eligible clinical sites to support the use of nurse preceptors in providing clinical training to nursing students.

(b)  To be eligible for a grant under this section, a clinical site must:

(1)  provide clinical training to nursing students through the use of one or more nurse preceptors;

(2)  comply with any clinical site requirements established by the board; and

(3)  comply with any other requirements adopted by board rule.

Sec. 61.9643.  CLINICAL SITE INNOVATION AND COORDINATION PROGRAM. The board shall establish and administer a program to award grants to eligible clinical sites that create and operate innovative pilot programs that will support nursing performed at clinical sites in this state by increasing the number of nurses, improving the working environment for nurses, improving the retention of nurses, addressing workplace safety, and coordinating with other clinical sites any solutions found to address common nursing concerns.

Sec. 61.9644.  NURSING FACULTY GRANT PROGRAM: PART-TIME POSITIONS. (a) The board shall award grants under a nursing faculty grant program to eligible institutions of higher education to provide funding for qualified nursing staff working at clinical sites who serve as part-time nursing faculty at those institutions.

(b)  The amount of a grant and the number of grants to be awarded must be based on the total number of nursing staff serving as part-time faculty in institutions of higher education throughout the state in the year for which the grant is awarded.

(c)  A grant received under this section must be expended to support the applicable nursing faculty positions, including the faculty stipend.

(d)  An institution of higher education must certify in the grant application the number of unfilled faculty positions to which the application applies and, after a grant is awarded, must certify which of those positions have been filled before receipt of the grant funds.

(e)  The board shall prescribe the dates for the submission of applications and the award of grants under this section to ensure that a grant recipient has sufficient time to prepare for receipt and effective use of the grant funds before the academic period for which the grant is awarded.

(f)  Grant amounts are awarded under this section for two consecutive state fiscal years. The board may distribute a grant amount for nursing faculty only on receiving the certification from the institution of higher education that the applicable nurse faculty position has been filled. For each first-year nursing faculty position for which a clinical site receives an initial grant amount in a state fiscal year, the board shall make available an equal grant amount for the subsequent state fiscal year contingent on filling the part-time nursing faculty positions funded by the grant in that second year.

Sec. 61.9645.  NURSING FACULTY GRANT PROGRAM: CLINICAL TRAINING. (a) The board shall award grants under a nursing faculty grant program to eligible clinical sites to provide funding for qualified nursing faculty of institutions of higher education who seek to obtain additional clinical training by working part-time at a clinical site.

(b)  The amount of a grant and the number of grants to be awarded must be based on the total number of nursing faculty in institutions of higher education throughout the state in the year for which the grant is awarded.

Sec. 61.9646.  FUNDS. (a) In consultation with the nursing advisory committee, the board shall allocate funds appropriated for purposes of this subchapter and any other funds received as described by Subsection (b) as the board considers appropriate to further the purposes of this subchapter.

(b)  In addition to money appropriated by the legislature, the board may solicit, accept, and spend gifts, grants, and donations from any public or private source for the purposes of the grant programs established under this subchapter.

Sec. 61.9647.  RULES. In consultation with the nursing advisory committee, the board shall adopt rules for the administration of the grant programs established under this subchapter. The rules must include:

(1)  administrative provisions relating to the awarding of grants under this subchapter, such as:

(A)  eligibility criteria for clinical sites or institutions of higher education, as applicable;

(B)  grant application procedures;

(C)  guidelines relating to grant amounts;

(D)  procedures for evaluating grant applications; and

(E)  procedures for monitoring the use of grants; and

(2)  methods for tracking the effectiveness of grants that:

(A)  use data reasonably available to the board or the Texas Center for Nursing Workforce Studies; and

(B)  evaluate transferability and scalability of innovation programs.

SECTION 6.  Section 61.9822, Education Code, is amended to read as follows:

Sec. 61.9822.  ELIGIBILITY. To be eligible to receive loan repayment assistance under this subchapter, a nurse must:

(1)  apply to the board;

(2)  at the time of application for repayment assistance have been employed part-time or full-time for at least one year as, and be currently employed part-time or full-time as, a faculty member of a nursing degree program at an institution of higher education or a private or independent institution of higher education; and

(3)  comply with any additional requirements adopted by board rule.

SECTION 7.  Sections 61.9823(a) and (b), Education Code, are amended to read as follows:

(a)  On qualifying for loan repayment assistance under this subchapter, a nurse may receive repayment assistance for each year of part-time or full-time employment as a faculty member of a nursing degree program at an institution of higher education or private or independent institution of higher education, not to exceed five years.

(b)  The board by rule shall determine the maximum amount of loan repayment assistance received by a nurse under this subchapter [~~may not exceed $7,000~~] in any one year. The board shall base the amount of loan repayment assistance received by a nurse for part-time employment on the proportion of the number of hours worked by the nurse to the number of hours worked by a full-time nurse.

SECTION 8.  Sections 63.202(f) and (g), Education Code, are amended to read as follows:

(f)  Notwithstanding the limitation provided by Subsection (b), grants awarded under Subsection (c) for the state fiscal biennium ending on August 31, 2025 [~~2021~~], and the fiscal biennium ending on August 31, 2027 [~~2023~~], by the Texas Higher Education Coordinating Board shall be awarded to programs preparing students for initial licensure as registered nurses or programs preparing qualified faculty members with a master's or doctoral degree for the program, including programs at two-year institutions of higher education, four-year general academic teaching institutions, health science centers, and independent or private institutions of higher education, or to the nursing resource section established under Section 105.002(b), Health and Safety Code.  In awarding grants under this subsection, the coordinating board may:

(1)  give priority to institutions proposing to address the shortage of registered nurses by promoting innovation in education, recruitment, and retention of nursing students and qualified faculty;

(2)  award grants on a competitive basis;

(3)  consider the availability of matching funds; and

(4)  fund a study by the nursing resource section to evaluate the competencies of clinical judgment and behaviors that professional nursing students should possess at the time of graduation.

(g)  Subsection (f) and this subsection expire September 1, 2027 [~~2023~~].

SECTION 9.  The following provisions of the Education Code are repealed:

(1)  Sections 61.653 and 61.657; and

(2)  Section 61.656(c).

SECTION 10.  (a) As soon as practicable after the effective date of this Act, the Texas Higher Education Coordinating Board shall adopt rules necessary to administer the changes in law made by this Act.

(b)  Section 61.655, Education Code, as amended by this Act, applies beginning with scholarships and loan repayment assistance awarded under a program established under Subchapter L, Chapter 61, Education Code, for the 2024-2025 academic year. Scholarships and loan repayment assistance awarded under a program established under Subchapter L, Chapter 61, Education Code, for an academic year before the 2024-2025 academic year are governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(c)  As soon as practicable after the effective date of this Act, the Texas Higher Education Coordinating Board shall adopt rules for the implementation and administration of the grant programs required by Subchapter Z-1, Chapter 61, Education Code, as added by this Act. The board may adopt the initial rules in the manner provided by law for emergency rules.

(d)  Not later than September 1, 2023, the Texas Higher Education Coordinating Board shall establish the grant programs required by Subchapter Z-1, Chapter 61, Education Code, as added by this Act, and shall begin to award grants under those programs not later than January 1, 2024.

(e)  The changes in law made by this Act to Subchapter JJ, Chapter 61, Education Code, apply beginning with loan repayment assistance awarded under that subchapter for the 2024-2025 academic year. Loan repayment assistance awarded under Subchapter JJ, Chapter 61, Education Code, for an academic year before the 2024-2025 academic year is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 11.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.