

By: Kolkhorst, et al.
(Klick)

S.B. No. 25

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.

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

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

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

13 (A) an institution of higher education; or

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

16 (2) may include:

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

18 (B) [~~(2)~~] financial need;

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

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

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

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

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

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

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

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

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

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

17 (2) associations of employers;

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

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

22 (e) The rules adopted under this section must provide that
23 not more than 10 percent of the total amount of scholarships or
24 repayment assistance awarded under a program established under this
25 subchapter in a year may be awarded to persons enrolled in, or for
26 the repayment of student loans for education received at, as
27 applicable to the program, a nonprofit college or university

1 described by Section 61.651(1)(B).

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

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

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

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

12 Sec. 61.9641. DEFINITIONS. In this subchapter:

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

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

21 Sec. 61.9642. CLINICAL SITE NURSE PRECEPTOR GRANT PROGRAM.

22 (a) The board, in consultation with the nursing advisory
23 committee, shall establish and administer a program to award grants
24 to eligible clinical sites to support the use of nurse preceptors in
25 providing clinical training to nursing students.

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

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

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

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

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

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

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

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

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

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

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

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

27 (b) The amount of a grant and the number of grants to be

1 awarded must be based on the total number of nursing faculty in
2 institutions of higher education throughout the state in the year
3 for which the grant is awarded.

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

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

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

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

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

21 (B) grant application procedures;

22 (C) guidelines relating to grant amounts;

23 (D) procedures for evaluating grant
24 applications; and

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

26 and

27 (2) methods for tracking the effectiveness of grants

1 that:

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

4 (B) evaluate transferability and scalability of
5 innovation programs.

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

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

10 (1) apply to the board;

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

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

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

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

27 (b) The board by rule shall determine the maximum amount of

1 loan repayment assistance received by a nurse under this subchapter
2 [~~may not exceed \$7,000~~] in any one year. The board shall base the
3 amount of loan repayment assistance received by a nurse for
4 part-time employment on the proportion of the number of hours
5 worked by the nurse to the number of hours worked by a full-time
6 nurse.

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

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

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

26 (2) award grants on a competitive basis;

27 (3) consider the availability of matching funds; and

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

5 (g) Subsection (f) and this subsection expire September 1,
6 2027 [~~2023~~].

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

9 (1) Sections [61.653](#) and [61.657](#); and

10 (2) Section [61.656\(c\)](#).

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

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

24 (c) As soon as practicable after the effective date of this
25 Act, the Texas Higher Education Coordinating Board shall adopt
26 rules for the implementation and administration of the grant
27 programs required by Subchapter [Z-1](#), Chapter [61](#), Education Code, as

1 added by this Act. The board may adopt the initial rules in the
2 manner provided by law for emergency rules.

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

8 (e) The changes in law made by this Act to Subchapter JJ,
9 Chapter 61, Education Code, apply beginning with loan repayment
10 assistance awarded under that subchapter for the 2024-2025 academic
11 year. Loan repayment assistance awarded under Subchapter JJ,
12 Chapter 61, Education Code, for an academic year before the
13 2024-2025 academic year is governed by the law in effect
14 immediately before the effective date of this Act, and the former
15 law is continued in effect for that purpose.

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