

SENATE FILE NO. SF0022

Nursing education.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to nursing education programs; establishing
2 a Wyoming investment in nursing program as specified;
3 specifying eligibility criteria; providing procedures for
4 application, administration and repayment of loans under
5 the Wyoming investment in nursing program as specified;
6 providing for appeals; requiring the Wyoming community
7 college commission to coordinate the development and
8 implementation of nurse education programs as specified;
9 requiring the commission to coordinate internet or similar
10 proprietary or common carrier electronic system courses to
11 meet prerequisites for entry into nursing programs as
12 specified; specifying conditions under which the Wyoming
13 community college commission and the University of Wyoming
14 shall fund additional teaching positions in nursing
15 education programs; providing for a sunset date; providing
16 appropriations; and providing for an effective date.

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2 *Be It Enacted by the Legislature of the State of Wyoming:*

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4 **Section 1.** W.S. 9-2-123 is created to read:

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6 **9-2-123. Wyoming investment in nursing loan and grant**
7 **program; eligibility criteria; procedures.**

8

9 (a) There is created the Wyoming investment in
10 nursing program administered by the Wyoming higher
11 education assistance authority created under W.S.
12 21-16-703. The program shall be known as the WYIN program.
13 Applicants may apply for loans from the WYIN program in
14 accordance with this section.

15

16 (b) To qualify for a loan under the WYIN program, the
17 applicant shall first:

18

19 (i) Be accepted into a nursing education program
20 at a Wyoming community college, the University of Wyoming,
21 or, in the case of a candidate for a doctoral degree, an
22 institution providing the required nursing education
23 courses under contract with the western interstate
24 commission for higher education; and

1

2 (ii) Apply for federal financial
3 assistance. Wyoming community colleges shall allow
4 students who apply for admission into an approved nurse
5 aide training or nursing education program, and who will
6 enroll in fewer than six (6) academic credit hours, to
7 apply for federal financial assistance.

8

9 (c) Subject to the availability of funds appropriated
10 for this program, loans under the WYIN program may be
11 granted to applicants enrolled or planning to enroll in
12 nursing education programs as follows:

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14 (i) An applicant who is accepted into a Wyoming
15 licensed practical nurse or registered nursing education
16 program may be eligible for a loan to pay the costs of
17 attendance at the licensed practical nursing education
18 program or the registered nursing education program leading
19 to an associate's or baccalaureate degree;

20

21 (ii) A registered nurse with a baccalaureate
22 degree who holds an unencumbered license with the Wyoming
23 board of nursing, has the equivalent of at least two (2)
24 years of full-time, continuous service teaching in a

1 nursing education program in Wyoming as a registered nurse
2 with a baccalaureate degree and is accepted into a Wyoming
3 nursing education program at the University of Wyoming
4 leading to a master's degree in nursing may be eligible for
5 a loan to pay the costs of attendance at the nursing
6 education program leading to a master's degree in nursing
7 provided that in order to receive a loan for a master's
8 degree program, the applicant shall agree to repay the loan
9 by teaching at a Wyoming college or the University of
10 Wyoming;

11

12 (iii) A registered nurse with a master's degree
13 in nursing who holds an unencumbered license with the
14 Wyoming board of nursing, has the equivalent of at least
15 two (2) years of full-time, continuous service teaching in
16 a nursing education program in Wyoming as a registered
17 nurse with a master's degree in nursing and is accepted
18 into a nursing education program at an institution
19 providing the required nursing education courses under
20 contract with the western interstate commission for higher
21 education leading to a doctorate level degree in nursing
22 may be eligible for a loan to pay the costs of attendance
23 at the nursing education program leading to a doctorate
24 level degree in nursing provided that in order to receive a

1 loan for a doctorate level degree program, the applicant
2 shall agree to repay the loan by teaching at the University
3 of Wyoming.

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5 (d) A loan provided under this section shall not
6 exceed the cost of attendance for the approved program,
7 reduced by the amount of any Pell or other federal grant
8 received by the applicant.

9

10 (e) A recipient of a WYIN loan under this section may
11 repay the loan without cash payment by working in Wyoming
12 as a nurse or nurse educator as provided in subsection (f)
13 of this section. To qualify as repayment under this
14 subsection, work shall be performed within the following
15 time periods which begin with the calendar month following
16 the month in which the student completed the academic
17 program:

18

19 (i) If the loan can be repaid with work of two
20 (2) years or less, within three (3) years;

21

22 (ii) If the loan can be repaid with work of
23 greater than two (2) years, but no more than four (4)
24 years, within five (5) years;

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2 (iii) If the loan can be repaid with work of
3 greater than four (4) years, within the amount of time the
4 loan could be repaid, plus two (2) years.

5

6 (f) Qualified work under subsection (e) of this
7 section shall be credited so that the student's loan
8 balance is reduced on the basis of one (1) year of full-
9 time employment repaying the loan balance for one (1)
10 academic year of full-time enrollment. Qualified work shall
11 be credited on a proportional basis.

12

13 (g) Any recipient of a WYIN loan who fails:

14

15 (i) To complete the academic program for which
16 the loan was provided shall commence cash repayment of the
17 loan no later than forty-five (45) days after the recipient
18 leaves the academic program;

19

20 (ii) To obtain employment in the targeted
21 occupation for which the person received the education
22 within ninety (90) days after successfully passing the
23 appropriate certification examination shall commence cash
24 repayment of the loan within one hundred twenty (120) days

1 after successfully passing the appropriate certification
2 examination;

3

4 (iii) The appropriate certification examination
5 on the first attempt may retake the appropriate
6 certification examination at the next available opportunity
7 before commencing repayment of the loan. The recipient
8 shall notify the Wyoming higher education assistance
9 authority or its contractor of the intent to retake the
10 examination and the date the examination will be taken. Any
11 recipient of a WYIN loan who fails the appropriate
12 certification examination after the second attempt shall
13 commence cash repayment of the loan within forty-five (45)
14 days after receipt of notification of the second failure by
15 the board of nursing. If the recipient of a WYIN loan who
16 fails the appropriate certification examination on the
17 first attempt does not retake the examination at the next
18 available opportunity, cash repayment shall commence within
19 forty-five (45) days after the next available examination
20 is conducted.

21

22 (h) Loan repayment options under this section may be
23 deferred for a period not to exceed four (4) years while a

1 loan recipient is serving on full-time active duty with any
2 branch of the military services of the United States.

3

4 (j) The Wyoming higher education assistance authority
5 shall have the powers and duties specified in W.S.
6 21-16-705 to implement this section and shall establish
7 terms and conditions of loans issued under this section,
8 including:

9

10 (i) Interest rates and loan terms;

11

12 (ii) The form and process for loan application,
13 review and award;

14

15 (iii) Criteria under which students may be
16 relieved from having to repay loans and interest thereon,
17 in whole or in part, where the requirement to repay would
18 cause undue hardship.

19

20 (k) Funding of the loan program established under
21 this section shall be by appropriation of the legislature.
22 The authority shall transfer approved loan amounts to the
23 University of Wyoming and to Wyoming community colleges at
24 which loan recipients are enrolled. In consultation with

1 the university and affected community colleges, the
2 authority shall establish procedures for transferring loan
3 amounts and for reporting requirements on the expenditure
4 of transferred loan amounts.

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6 (m) Cash repayment of loans and interest thereon
7 shall be credited to the general fund.

8

9 (n) The authority shall annually review the loan
10 program established under this section and report to the
11 governor and the legislature in accordance with W.S.
12 9-2-1014, regarding program results, funds received and
13 loans issued during the preceding academic year, together
14 with the status of all outstanding loan commitments and
15 repayments under the program.

16

17 (o) This program created by this section shall expire
18 effective June 30, 2011.

19

20 (p) Notwithstanding subsection (o) of this section:

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22 (i) Any person beginning a nursing education
23 program as authorized by this section shall continue to

1 receive funding for the program so long as the person
2 remains eligible as required by this section;

3

4 (ii) Repayment of loans provided under this
5 section shall continue as specified in this section until
6 all loan obligations have been satisfied.

7

8 **Section 2.** W.S. 21-17-107, 21-18-202(b) by creating
9 new paragraphs (v) and (vi), (c) by creating a new
10 paragraph (vii) and 21-18-317 are amended to read:

11

12 **21-17-107. Legislature to make appropriations.**

13

14 (a) The legislature shall appropriate monies intended
15 for the support and maintenance of the University of
16 Wyoming. The appropriations shall specify the purposes for
17 which the monies are intended and may be used. The
18 appropriations shall apply to and include all monies
19 received by the university from the United States for the
20 endowment and support of colleges for the benefit of
21 agriculture and mechanic arts. No expenditure shall be
22 made in excess of an appropriation, and no monies so
23 appropriated shall be used for any purpose other than that
24 for which they are appropriated.

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(b) Subject to appropriation by the legislature, the board of trustees shall fund an entry level teaching faculty position whenever the university expands its nursing program capacity by eight (8) students. The university shall expend the funding under this subsection only if enrollment in the nursing program of the university was not less than ninety-five percent (95%) of the total nursing program capacity at the beginning of the most recent fall academic semester. Funding available for expenditure under this subsection for the specific purpose of expanding a nursing program capacity shall be reduced by an amount equal to that provided to fund one (1) entry level teaching position for every reduction of eight (8) full-time equivalent students in the nursing program, as determined by comparing the beginning enrollments of the two (2) most recent fall academic semesters. Any appropriation made for purposes of this subsection shall be accounted for and distributed separately from appropriations made pursuant to subsection (a) of this section.

21-18-202. Powers and duties of the commission.

1 (b) The commission shall perform the following
2 coordination functions. In performing these coordination
3 functions all affected colleges and the commission shall be
4 involved:

5

6 (v) Subject to appropriation by the legislature,
7 coordinate the development and implementation of outreach
8 nurse education programs, including:

9

10 (A) Reviewing applications for development
11 of the programs;

12

13 (B) Contracting with Wyoming community
14 colleges to provide the programs established under this
15 paragraph, giving due consideration to the community
16 college with responsibility for the service area in which a
17 program is offered.

18

19 (vi) Coordinate the provision by means of
20 electronic internet or similar proprietary or common
21 carrier electronic system technology, by a community
22 college or several community colleges, of all prerequisite
23 courses necessary for entry into an educational program in
24 the field of nursing at a community college or a

1 baccalaureate degree program in nursing at the University
2 of Wyoming.

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4 (c) The commission shall perform the following
5 administrative functions:

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7 (vii) Subject to appropriation by the
8 legislature, the commission shall fully fund an entry level
9 teaching faculty position whenever a community college
10 expands its nursing program capacity by eight (8) students.
11 A community college shall be eligible to apply for the
12 funding under this paragraph only if enrollment in the
13 nursing program of the applicant institution was not less
14 than ninety-five percent (95%) of the total nursing program
15 capacity at the beginning of the most recent fall academic
16 semester. Funding provided under this paragraph for the
17 specific purpose of expanding a nursing program capacity
18 shall be reduced by an amount equal to that provided to
19 fund one (1) entry level teaching position for every
20 reduction of eight (8) full-time equivalent students in the
21 nursing program, as determined by comparing the beginning
22 enrollments of the two (2) most recent fall academic
23 semesters. Funding reductions shall not exceed the total
24 amount of funding provided to a community college under

1 this paragraph. Any appropriation made for purposes of this
2 paragraph shall, in accordance with W.S. 21-18-205(e), be
3 accounted for and distributed separately from the funding
4 allocation model for community colleges.

5
6 **21-18-317. Authority to provide educational program;**
7 **scope and approval of program.**

8
9 The community college district board of any community
10 college in this state may provide ~~the~~an educational
11 program ~~education~~ in the field of nursing. The educational
12 program shall be of ~~such~~the duration and intensity as may
13 be deemed appropriate by the community college district
14 board and the Wyoming state board of nursing and shall lead
15 to an associate degree in nursing and prepare each student
16 for licensure as provided by law. Approval of the Wyoming
17 state board of nursing is required prior to the
18 establishment of ~~any such~~the nursing education.

19
20 **Section 3.**

21
22 (a) There is appropriated two million eight hundred
23 seventy-seven thousand three hundred twenty-five dollars
24 (\$2,877,325.00) to the Wyoming higher education assistance

1 authority from the general fund for the fiscal year
2 beginning July 1, 2003, to implement the provisions of W.S.
3 9-2-123. Any funds appropriated under this subsection that
4 are not expended, encumbered or obligated at the end of the
5 biennium shall revert to the general fund as provided by
6 W.S. 9-4-207.

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8 (b) There is appropriated from the general fund to
9 the Wyoming community college commission five hundred
10 fifty-one thousand three hundred sixty-four dollars
11 (\$551,364.00) for the fiscal year beginning July 1, 2003,
12 to implement the provisions of W.S. 21-18-202(b)(v).

13

14 (c) There is appropriated from the general fund to
15 the Wyoming community college commission three hundred
16 seventy-eight thousand three hundred twenty-five dollars
17 (\$378,325.00) for the fiscal year beginning July 1, 2003,
18 to implement the provisions of W.S. 21-18-202(c)(vii).

19

20 (d) There is appropriated from the general fund to
21 the University of Wyoming sixty-five thousand dollars
22 (\$65,000.00) for the fiscal year beginning July 1, 2003, to
23 implement the provisions of W.S. 21-17-107(b).

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1 **Section 4.** This act is effective July 1, 2003.

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(END)