

1 **H. B. 3104**

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3 (By Delegates Ellington, M. Poling, Rowan,
4 Perdue, Carmichael, Hall, Sigler,
5 Gearheart and Householder)

6 [Introduced February 11, 2011; referred to the
7 Committee on Education then Finance.]

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §18C-3-4, relating to
12 health professionals student loan programs; health sciences
13 tuition program; and providing in-state tuition rates to
14 out-of-state medical and osteopathic students who agree to
15 practice for a specific time within West Virginia.

16 *Be it enacted by the Legislature of West Virginia:*

17 That the Code of West Virginia, 1931, as amended, be amended
18 by adding thereto a new section, designated §18C-3-4, to read as
19 follows:

20 **ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.**

21 **§18C-3-4. Health sciences out-of-state tuition program;**
22 **establishment; administration; eligibility.**

23 (a) Legislative findings. -- The Legislature finds that there
24 is a critical need for additional practicing health care
25 professionals in West Virginia. Therefore, there is hereby created

1 a health sciences tuition program to be administered by the vice
2 chancellor for health sciences. The purpose of this program is to
3 provide an incentive for out-of-state health professional students
4 to complete their training and provide primary care in underserved
5 areas of West Virginia.

6 (b) Establishment of special account. -- There is established
7 the Health Education Student Out-of-State Tuition Regularization
8 Program. An individual is eligible for consideration for
9 enrollment in this program if the individual:

10 (1) Demonstrates financial need;

11 (2) Meets established academic standards;

12 (3) Is enrolled or accepted for enrollment at the West
13 Virginia University School of Medicine, the Marshall University
14 School of Medicine, or the West Virginia School of Osteopathic
15 Medicine in a program leading to the degree of medical doctor
16 (M.D.) or doctor of osteopathy (D.O.);

17 (4) Has not yet received one of the degrees provided in
18 subdivision (3) of this subsection;

19 (5) Is not in default of any previous student loan;

20 (6) Is a student who is currently, or, who will be classified
21 as, paying out of state tuition; and

22 (7) Commits to render services as a medical doctor or a doctor
23 of osteopathy in this state in a medically underserved area or in
24 a medical specialty in which there is a shortage of physicians, as

1 determined by the Division of Health at the time the application
2 for inclusion in the fund's program was made.

3 Each individual applicant shall submit to the commission a
4 notarized, sworn statement of commitment to service on a form
5 provided for that purpose. Upon receipt of the statement, and the
6 commission's approval of the same, the commission shall waive the
7 out-of-state tuition differential for one academic year in exchange
8 for a commitment of each full twelve consecutive calendar months of
9 service.

10 (c) Repayment provisions. -- A program participant who fails
11 to practice in an underserved area of West Virginia within six
12 months of the completion of his or her training, who fails to
13 complete his or her training or who fails to complete the required
14 commitment is in breach of contract and is liable for repayment of
15 the portion of the amount of out-of-state tuition waived plus
16 interest. The granting or renewal of a license to practice in West
17 Virginia or to reciprocal licensure in another state based upon
18 licensure in West Virginia shall be contingent upon beginning
19 payment and continuing payment until complete repayment of the
20 total amount if the recipient fails to complete the required
21 practice commitment. No license, renewal or reciprocity may be
22 granted to persons whose repayments are in arrears. The
23 appropriate regulatory board shall inform all other states where a
24 recipient has reciprocated based upon West Virginia licensure of

1 any refusal to renew licensure in West Virginia as a result of
2 failure to repay the tuition amount.

3 (d) Promulgation of rules. -- The higher education policy
4 commission shall promulgate rules pursuant to article three-a,
5 chapter twenty nine-a of this code necessary for the implementation
6 and administration of this section. The program may be limited to
7 a number of graduate students each year, with the understanding
8 that the number of students at each of these institutions to whom
9 waivers are granted, may not exceed the number assigned by these
10 rules, at any one time.

NOTE: The purpose of this bill is to create a tuition waiver program, allowing out-of-state medical students who commit to practice in an underserved area of West Virginia for a specified period, the right to pay in-state tuition.

This section is new; therefore, it has been completely underscored.