

H. B. 2986

(By Delegates Perdue, Perry, Cowles, Poore,
Staggers and Storch)

[Introduced March 19, 2013; referred to the
Committee on Education then Finance.]

A BILL to amend and reenact §18C-3-3 of the Code of West Virginia,
1931, as amended, relating to the Health sciences service
program; expanding eligibility.

Be it enacted by the Legislature of West Virginia:

That §18C-3-3 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.

**§18C-3-3. ~~Health sciences scholarship program~~ Health sciences
service program; establishment; administration;
eligibility.**

(a) *Legislative findings.* -- The Legislature finds that there
is a critical need for additional practicing health care
professionals in West Virginia. Therefore, there is hereby created
a ~~health sciences scholarship program~~ health sciences service
program to be administered by the vice chancellor for health

1 sciences. The purpose of this program is to provide an incentive
2 for health professional students to complete their training and
3 provide primary care in underserved areas of West Virginia.

4 (b) *Establishment of special account.* -- There is ~~hereby~~
5 ~~established~~ continued a special revolving fund account under the
6 higher education policy commission in the State Treasury to be
7 known as the "Health Sciences Scholarship Fund" that shall be used
8 to carry out the purposes of this section. The fund shall consist
9 of one or more of the following:

10 (1) All unexpended health sciences scholarship funds on
11 deposit in the State Treasury on the effective date of this
12 section;

13 (2) Appropriations as may be provided by the Legislature;

14 (3) Repayments, including interest as set by the vice
15 chancellor for health sciences, collected from ~~scholarship program~~
16 award recipients who fail to practice or teach in West Virginia
17 under the terms of the ~~scholarship program award~~ agreement as set
18 forth under this section or the health sciences scholarship program
19 previously established by this section; or

20 (4) Amounts that may become available from other sources.

21 Balances remaining in the fund at the end of the fiscal year
22 shall not expire or revert to the general revenue. All costs
23 associated with the administration of this section shall be paid
24 from the Health Sciences Scholarship Fund under the direction of

1 the vice chancellor for health sciences.

2 (c) *Eligibility requirements.* -- An individual is eligible
3 for consideration for a ~~health sciences scholarship~~ health sciences
4 service program award if the individual:

5 (1) Either:

6 (A) Is a fourth-year medical student at the Marshall
7 University School of Medicine, West Virginia School of Osteopathic
8 Medicine or West Virginia University School of Medicine who has
9 been accepted in a primary care internship/residency program in
10 West Virginia; or

11 (B) Is enrolled ~~or accepted for enrollment~~ in an approved
12 education program at a West Virginia institution leading to a
13 degree or certification in the field of nurse practitioner, nurse
14 midwife, physician assistant, physical therapist, doctoral clinical
15 psychologist, licensed independent clinical social worker, or other
16 disciplines identified as shortage fields by the vice chancellor
17 for health sciences; and

18 (2) Signs an agreement to practice for at least two years in
19 an underserved area of West Virginia. ~~as determined by the bureau~~
20 ~~for public health.~~ An individual also is eligible for
21 consideration for a ~~health sciences scholarship~~ health sciences
22 service program award if the individual is pursuing a master's
23 degree in nursing and signs an agreement to teach at least two
24 years for a school of nursing located in West Virginia, as may be

1 determined by the vice chancellor for health sciences, after
2 receiving her or his master's degree. Awarding preference will be
3 given to West Virginia residents.

4 (d) ~~Scholarship awards~~ Program awards. -- ~~Scholarships~~
5 Program awards shall be in the amount ~~of~~ set by the Higher
6 Education Policy Commission of at least \$20,000 for medical
7 students and at least \$10,000 for all others and may be awarded by
8 the vice chancellor for health sciences, with the advice of an
9 advisory panel, from the pool of all applicants with a commitment
10 to practice in an underserved area of West Virginia. ~~as determined~~
11 ~~by the bureau for public health~~. Nothing herein shall be construed
12 as granting or guaranteeing any applicant any right to such a
13 ~~scholarship~~ program award.

14 (e) *Repayment provisions*. -- A ~~scholarship~~ program award
15 recipient who fails to practice in an underserved area of West
16 Virginia within six months of the completion of his or her
17 training, who fails to complete his or her training or who fails to
18 complete the required teaching is in breach of contract and is
19 liable for repayment of the ~~total scholarship amount received plus~~
20 ~~interest~~ program award and any accrued interest. The granting or
21 renewal of a license to practice in West Virginia or to reciprocal
22 licensure in another state based upon licensure in West Virginia
23 shall be contingent upon beginning payment and continuing payment
24 until complete repayment of the ~~total scholarship amount if the~~

1 ~~recipient fails to practice in an underserved area~~ program award
2 and any accrued interest. No license, renewal or reciprocity shall
3 be granted to persons whose repayments are in arrears. The
4 appropriate regulatory board shall inform all other states where a
5 recipient has reciprocated based upon West Virginia licensure of
6 any refusal to renew licensure in West Virginia as a result of
7 failure to repay the ~~scholarship amount~~ program award. This
8 provision shall be explained in bold type in the ~~scholarship~~
9 program award contract. Repayment terms, not inconsistent with
10 this section, shall be established by the vice chancellor for
11 health sciences pursuant to rules as required under subsection (f)
12 of this section.

13 (f) *Promulgation of rules.* -- The Higher Education Policy
14 Commission shall promulgate rules pursuant to article three-a,
15 chapter twenty nine-a of this code necessary for the implementation
16 and administration of this section.

17 (g) *Definitions.* -- For purposes of the repayment provisions
18 of this section: ~~the term~~

19 (1) "Training" means the entire degree program or
20 certification program for nurse midwives, nurse practitioners,
21 physician assistants, physical therapists, doctoral clinical
22 psychologists, licensed independent clinical social workers, and
23 other disciplines identified as shortage field by the vice
24 chancellor. The term also means the completion of a degree program

1 and includes completion of an approved residency/internship program
2 for students pursuing a degree in medicine or a degree in
3 osteopathy.

4 (2) "Underserved area" means any primary care health
5 professional shortage area located in the state as determined by
6 the Bureau for Public Health or any additional health professional
7 shortage area determined by the vice chancellor for health
8 sciences.

NOTE: The purpose of this bill is to permit a physical therapist, doctoral clinical psychologist, or licensed independent clinical social worker to apply for the health sciences service program.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.