

SB 709

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2002



ENROLLED

SENATE BILL NO. 709

(By Senator Jackson, et al)



PASSED March 9, 2002

In Effect ninety days from Passage

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Senate Bill No. 709

(BY SENATORS JACKSON, PLYMALE, BAILEY, BOLEY, BOWMAN,
CALDWELL, EDGELL, HUNTER, MINEAR, OLIVERIO AND UNGER)

[Passed March 9, 2002; in effect ninety days from passage.]

AN ACT to amend and reenact section three, article three, chapter eighteen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the health sciences scholarship program; providing that persons pursuing a master's degree in nursing are eligible under certain circumstances; and increasing the amount of the scholarships for medical students.

Be it enacted by the Legislature of West Virginia:

That section three, article three, chapter eighteen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.

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

1 (a) *Legislative findings.* – The Legislature finds that
2 there is a critical need for additional practicing health care
3 professionals in West Virginia. Therefore, there is hereby
4 created a health sciences scholarship program to be
5 administered by the vice chancellor for health sciences.
6 The purpose of this program is to provide an incentive for
7 health professional students to complete their training and
8 provide primary care in underserved areas of West Vir-
9 ginia.

10 (b) *Establishment of special account.* – There is hereby
11 established a special revolving fund account under the
12 higher education policy commission in the state treasury
13 to be known as the “Health Sciences Scholarship Fund”
14 that shall be used to carry out the purposes of this section.
15 The fund shall consist of one or more of the following: (1)
16 All unexpended health sciences scholarship funds on
17 deposit in the state treasury on the effective date of this
18 section; (2) appropriations as may be provided by the
19 Legislature; (3) repayments, including interest as set by the
20 vice chancellor for health sciences, collected from scholar-
21 ship recipients who fail to practice or teach in West
22 Virginia under the terms of the scholarship agreement as
23 set forth under this section; or (4) amounts that may
24 become available from other sources. Balances remaining
25 in the fund at the end of the fiscal year shall not expire or
26 revert to the general revenue. All costs associated with the
27 administration of this section shall be paid from the health
28 sciences scholarship fund under the direction of the vice
29 chancellor for health sciences.

30 (c) *Eligibility requirements.* – An individual is eligible
31 for consideration for a health sciences scholarship if the
32 individual: (1) Either: (A) Is a fourth-year medical student
33 at the Marshall university school of medicine, West
34 Virginia school of osteopathic medicine or West Virginia
35 university school of medicine who has been accepted in a
36 primary care internship/residency program in West
37 Virginia; or (B) is enrolled or accepted for enrollment in an

38 approved education program at a West Virginia institution
39 leading to a degree or certification in the field of nurse
40 practitioner, nurse midwife, physician assistant or other
41 disciplines identified as shortage fields by the vice chan-
42 cellor for health sciences; and (2) signs an agreement to
43 practice for at least two years in an underserved area of
44 West Virginia as determined by the bureau of public
45 health. An individual also is eligible for consideration for
46 a health sciences scholarship if the individual is pursuing
47 a master's degree in nursing and signs an agreement to
48 teach at least two years for a school of nursing located in
49 West Virginia, as may be determined by the vice chancellor
50 for health sciences, after receiving her or his master's
51 degree. Awarding preference will be given to West
52 Virginia residents.

53 (d) *Scholarship awards.* – Scholarships shall be in the
54 amount of twenty thousand dollars for medical students
55 and ten thousand dollars for all others and may be
56 awarded by the vice chancellor for health sciences, with
57 the advice of an advisory panel, from the pool of all
58 applicants with a commitment to practice in an
59 underserved area of West Virginia as determined by the
60 bureau of public health. Nothing herein shall be construed
61 as granting or guaranteeing any applicant any right to
62 such a scholarship.

63 (e) *Repayment provisions.* – A scholarship recipient who
64 fails to practice in an underserved area of West Virginia
65 within six months of the completion of his or her training,
66 who fails to complete his or her training or who fails to
67 complete the required teaching is in breach of contract and
68 is liable for repayment of the total scholarship amount
69 received plus interest. The granting or renewal of a license
70 to practice in West Virginia or to reciprocal licensure in
71 another state based upon licensure in West Virginia shall
72 be contingent upon beginning payment and continuing
73 payment until complete repayment of the total scholarship
74 amount if the recipient fails to practice in an underserved

75 area. No license, renewal or reciprocity shall be granted
76 to persons whose repayments are in arrears. The appropri-
77 ate regulatory board shall inform all other states where a
78 recipient has reciprocated based upon West Virginia
79 licensure of any refusal to renew licensure in West Virginia
80 as a result of failure to repay the scholarship amount. This
81 provision shall be explained in bold type in the scholarship
82 contract. Repayment terms, not inconsistent with this
83 section, shall be established by the vice chancellor for
84 health sciences pursuant to rules as required under
85 subsection (f) of this section.

86 (f) *Promulgation of rules.* – The higher education policy
87 commission shall promulgate rules pursuant to article
88 three-a, chapter twenty nine-a of this code necessary for
89 the implementation and administration of this section.

90 (g) *Definitions.* – For purposes of the repayment provi-
91 sions of this section, the term “training” means the entire
92 degree program or certification program for nurse mid-
93 wives, nurse practitioners, physician assistants and other
94 disciplines identified as shortage field by the vice chancel-
95 lor. The term also means the completion of a degree
96 program and includes completion of an approved resi-
97 dency/internship program for students pursuing a degree
98 in medicine or a degree in osteopathy.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Calvin P. ...
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

Earl R. Tomblin
President of the Senate

[Signature]
Speaker House of Delegates

The within *is approved* this the *27th*
Day of *March*, 2002.

[Signature]
Governor

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OFFICE

Date 3/22/02

Time 10:00 AM