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WEST VIRGINIA LEGISLATURE EIGHTY-FIRST LEGISLATURE REGULAR SESSION, 2014

ENROLLED Senate Bill No. 394

(By Senators Laird, Stollings, Plymale, Wells, Beach, Chafin, Tucker, Boley, Carmichael and Jenkins)

[Passed March 6, 2014; in effect ninety days from passage.]

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SECRETARY OF STATE

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AN ACT to amend and reenact §18C-3-3 of the Code of West Virginia, 1931, as amended, relating to establishing the Health Sciences Service Program; continuing special revolving fund account and designating new name of fund; modifying fund expenditure provisions; modifying certain defined term; and expanding and modifying program eligibility.

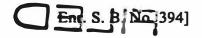
Be it enacted by the Legislature of West Virginia:

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 Service Program; establishment; administration; eligibility.

- 1 (a) Legislative findings. The Legislature finds that there
- 2 is a critical need for additional practicing health care
- 3 professionals in West Virginia. Therefore, there is created a
- 4 Health Sciences Service Program to be administered by the



- Vice Chancellor for Health Sciences. The purpose of this program is to provide an incentive for health professional students to complete their training and provide primary care in underserved areas of West Virginia.
 - 9 (b) Special account. There is continued a special revolving fund account under the Higher Education Policy Commission in the State Treasury formerly known as the Health Sciences Scholarship Fund and hereafter designated the Health Sciences Service Program Fund. The fund shall be used to accomplish the purposes of this section. The fund consists of any of the following:
 - 16 (1) All unexpended health sciences scholarship funds on 17 deposit in the State Treasury on the effective date of this 18 section:
 - 19 (2) Appropriations as may be provided by the 20 Legislature;
 - 21 (3) Repayments, including interest as set by the Vice 22 Chancellor for Health Sciences, collected from program 23 award recipients who fail to practice or teach in West 24 Virginia under the terms of an award agreement or the health 25 sciences scholarship program previously established by this 26 section; and
 - 27 (4) Amounts that may become available from other 28 sources.
 - Balances remaining in the fund at the end of the fiscal year do not expire or revert to the general revenue. All costs associated with the administration of this section shall be paid from the Health Sciences Service Program Fund under the direction of the Vice Chancellor for Health Sciences.

- 34 (c) Eligibility requirements. Award preference is given 35 to West Virginia residents. An individual is eligible for 36 consideration for a Health Sciences Service Program award 37 if the individual:
- 38 (1) Either:
- 39 (A) Is a fourth-year medical student at the Marshall
 40 University School of Medicine, West Virginia School of
 41 Osteopathic Medicine or West Virginia University School of
 42 Medicine who has been accepted in a primary care
 43 internship/residency program in West Virginia; or
- 44 (B) Is enrolled in an approved education program at a 45 West Virginia institution leading to a degree or certification 46 in the field of nurse practitioner, nurse educator, nurse 47 midwife, physician assistant, dentist, pharmacist, physical 48 therapist, doctoral clinical psychologist, licensed independent 49 clinical social worker or other disciplines identified as 50 shortage fields by the Vice Chancellor for Health Sciences; 51 and
- 52 (2) Signs an agreement to practice for at least two years 53 in an underserved area of West Virginia or, if pursuing a 54 master's degree in nursing, signs an agreement to teach at 55 least two years for a school of nursing located in West 56 Virginia, as may be determined by the Vice Chancellor for 57 Health Sciences, after receiving the master's degree.
- (d) Program awards. Program awards shall be in an amount set by the Higher Education Policy Commission of at least \$20,000 for medical and dental students and at least \$10,000 for all others and may be awarded by the Vice Chancellor for Health Sciences, with the advice of an advisory panel, from the pool of all applicants with a commitment to practice in an underserved area of West

- Virginia. This section does not grant or guarantee any applicant any right to a program award.
- 67 (e) Repayment provisions. - A program award recipient 68 who fails to practice in an underserved area of West Virginia 69 within six months of the completion of his or her training, or **70** who fails to complete his or her training or required teaching, 71 is in breach of contract and is liable for repayment of the 72 program award and any accrued interest. The granting or 73 renewal of a license to practice in West Virginia or to 74 reciprocal licensure in another state based upon licensure in 75 West Virginia is contingent upon beginning payment and 76 continuing payment until complete repayment of the award 77 and any accrued interest. A license, renewal or reciprocity 78 may not be granted to any person whose repayment is in 79 arrears. The appropriate regulatory board shall inform all 80 other states where a recipient has reciprocated based upon 81 West Virginia licensure of any refusal to renew licensure in 82 West Virginia as a result of failure to repay the award. This 83 provision shall be explained in bold type in the award 84 contract. Repayment terms, not inconsistent with this 85 section, shall be established by the Vice Chancellor for 86 Health Sciences pursuant to the rule required by this section.
- 87 (f) Rule. The Higher Education Policy Commission 88 shall promulgate a rule pursuant to article three-a, chapter 89 twenty nine-a of this code to implement and administer this 90 section.
- 91 (g) Definitions. As used in this section:
- 92 (1) "Training" means:
- 93 (A) The entire degree program or certification program 94 for nurse midwives, nurse practitioners, nurse educators, 95 physician assistants, dentists, pharmacists, physical

- 96 therapists, doctoral clinical psychologists, licensed
- 97 independent clinical social workers and other disciplines
- 98 identified as shortage fields by the Vice Chancellor for
- 99 Health Sciences; or
- 100 (B) Completion of a degree program and an approved 101 residency/internship program for students pursuing a degree 102 in medicine or osteopathy, or as otherwise may be designated
- 103 for such students in the rule required by this section.
- 104 (2) "Underserved area" means any primary care health 105 professional shortage area located in the state as determined 106 by the Bureau for Public Health or any additional health 107 professional shortage area determined by the Vice Chancellor 108 for Health Sciences.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled. Member—Chairman Senate Committee Chairman House Committee	ne
Originated in the Senate.	
In effect ninety days from passage. OFFICE WEST WAR 28 A 10. 23 Clerk of the Senate President of the Senate Speaker of the House of Delegates	TILED
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PRESENTED TO THE GOVERNOR

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