

## SENATE BILL No. 600

By Committee on Ways and Means

4-26

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9 AN ACT establishing the nurse educator service scholarship program;  
10 providing for the administration thereof.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. This act shall be known and may be cited as the nurse  
14 educator service scholarship program act.

15 Sec. 2. As used in the nurse educator act:

16 (a) "Executive officer" means the chief executive officer of the state  
17 board of regents appointed under K.S.A. 74-3203a, and amendments  
18 thereto.

19 (b) "School of nursing" means a school within the state of Kansas  
20 which is approved by the state board of nursing to grant a master of  
21 science or doctoral degree in nursing.

22 (c) "Qualified applicant" means a person who: (1) Is a resident of the  
23 state of Kansas; (2)(A) is a registered nurse who holds a baccalaureate  
24 degree in nursing and has been accepted for admission to or is enrolled  
25 in a course of instruction leading to a master of science in nursing; or (B)  
26 is a registered nurse who holds a master of science degree in nursing and  
27 has been accepted for admission to or is enrolled in a course of instruction  
28 leading to a doctorate degree in nursing and (3) has qualified for the  
29 award of a scholarship under the program on the basis of having dem-  
30 onstrated scholastic ability, or who has previously so qualified and remains  
31 qualified for renewal of the scholarship on the basis of remaining in good  
32 standing and making satisfactory progress toward completion of the  
33 requirements of the course of instruction in which enrolled.

34 (d) "Program" means the nurse educator service scholarship program  
35 established pursuant to this act.

36 Sec. 3. (a) There is hereby established the nurse educator service  
37 scholarship program. A scholarship may be awarded under the program  
38 to any qualified applicant. The number of new scholarships awarded un-  
39 der the program in each year shall not exceed 20. The determination of  
40 the individuals qualified for such scholarships shall be made by the ex-  
41 ecutive officer. Scholarships shall be awarded on a priority basis to qual-  
42 ified applicants who have the greatest financial need for such scholarships.  
43 To the extent practicable and consistent with the other provisions of this

1 section, consideration shall be given to minority applicants.

2 (b) Scholarships awarded under the program shall be awarded for the  
3 length of the course of instruction in which the applicant is enrolled or  
4 admitted unless otherwise terminated before the expiration of such pe-  
5 riod of time. If an applicant is not enrolled on a full-time basis, the ap-  
6 plicant shall receive a proportionate amount of the tuition based upon  
7 the number of hours enrolled in an academic period, as defined by the  
8 applicant's school of nursing and computed as a fraction of the total num-  
9 ber of credit hours required for enrollment on a full-time basis. Such  
10 scholarships shall provide to a qualified applicant (1) if the applicant is  
11 enrolled in a school of nursing operated by a state educational institution,  
12 an amount not to exceed 70% of the cost of attendance for an academic  
13 year at the school of nursing in which the applicant is enrolled or (2) if  
14 the applicant is enrolled in a school of nursing not operated by a state  
15 educational institution, the lesser of (A) an amount not to exceed 70% of  
16 the cost of attendance for a year at the school of nursing in which the  
17 applicant is enrolled or (B) an amount not to exceed 70% of the average  
18 amount of the cost of attendance for a year at the schools of nursing  
19 operated by the state educational institutions. Subject to the limitation of  
20 appropriations, the amount of each scholarship shall be established an-  
21 nually by the executive officer.

22 Sec. 4. (a) An applicant for a scholarship under the program shall  
23 provide to the executive officer, on forms supplied by the executive of-  
24 ficer, the following information:

- 25 (1) The name and address of the applicant;  
26 (2) the name and address of the school of nursing in which the ap-  
27 plicant is enrolled or to which the applicant has been admitted; and  
28 (3) any additional information which may be required by the execu-  
29 tive officer.

30 (b) As a condition to awarding a scholarship under the program, the  
31 executive officer and the applicant for a scholarship shall enter into an  
32 agreement which shall require that the scholarship recipient:

- 33 (1) Complete the required course of instruction;  
34 (2) engage in the full-time teaching of nursing, or the equivalent to  
35 full-time teaching of nursing in a nursing program in the state of Kansas,  
36 in accordance with the agreement entered into by the scholarship recip-  
37 ient and the executive director and continue such full-time teaching, or  
38 the equivalent to full-time practice, for at least five years, or engage in  
39 the part-time teaching of nursing in a nursing program in the state of  
40 Kansas in accordance with the agreement entered into by the scholarship  
41 recipient and the executive director and continue such part-time teaching  
42 for the total amount of time required under the agreement, which shall  
43 be for a period of time that is equivalent to full-time, as determined by

1 the executive director;

2 (3) commence the full-time teaching of nursing, or the equivalent to  
3 full-time teaching, or the part-time teaching of nursing, within six months  
4 after completion of the nurse education program in accordance with the  
5 agreement entered into by the scholarship recipient and the executive  
6 director, continue such teaching for the total amount of time required  
7 under the agreement and comply with such other terms and conditions  
8 as may be specified by such agreement;

9 (4) maintain records and make reports to the executive officer as may  
10 be required by the executive officer to document the satisfaction of the  
11 obligations under the program; and

12 (5) upon failure to satisfy the obligation under any agreement entered  
13 into under the program, repay to the state amounts as provided in section  
14 5, and amendments thereto.

15 Sec. 5. (a) Except as provided in section 6, and amendments thereto,  
16 upon the failure of any person to satisfy the obligation under any agree-  
17 ment entered into pursuant to the program, such person shall pay to the  
18 executive officer an amount equal to the total amount of money received  
19 by such person pursuant to such agreement plus accrued interest at a  
20 rate which is equivalent to the interest rate applicable to loans made  
21 under the federal PLUS program at the time such person first entered  
22 into an agreement plus five percentage points. Installment payments of  
23 any such amounts may be made in accordance with the provisions of  
24 agreements entered into by the scholarship recipient and the executive  
25 director, in accordance with rules and regulations of the state board of  
26 regents, except that such installment payments shall commence six  
27 months after the date of the action or circumstances that cause the failure  
28 of the person to satisfy the obligations of such agreements, as determined  
29 by the executive officer based upon the circumstances of each individual  
30 case. Amounts paid under this section to the executive officer shall be  
31 deposited in the nurse educator service scholarship repayment fund in  
32 accordance with section 8, and amendments thereto.

33 (b) The state board of regents is authorized to turn any repayment  
34 account arising under the program over to a designated loan servicer or  
35 collection agency, the state not being involved other than to receive pay-  
36 ments from the loan servicer or collection agency at the interest rate  
37 prescribed under this section.

38 Sec. 6. (a) Except as otherwise specified in the agreement, an obli-  
39 gation under any agreement entered into under the program shall be  
40 postponed: (1) During any required period of active military service; (2)  
41 during any period of service as a part of volunteers in service to America  
42 (VISTA); (3) during any period of service in the peace corps; (4) during  
43 any period of service commitment to the United States public health

1 service; (5) during any period of religious missionary work conducted by  
2 an organization exempt from tax under section 501(c)(3) of the federal  
3 internal revenue code as in effect on December 31, 2000; (6) during any  
4 period of time the person obligated is unable because of temporary med-  
5 ical disability to teach nursing; (7) during any period of time the person  
6 obligated is enrolled and actively engaged on a full-time basis in a course  
7 of study leading to a degree in the field of nursing which is higher than  
8 that attained formerly by the person obligated; (8) during any period of  
9 time the person obligated is on job-protected leave under the federal  
10 family and medical leave act of 1993; or (9) during any period of time the  
11 state board of regents determines that the person obligated is unable  
12 because of special circumstances to teach nursing. Except for clauses (6),  
13 (8) and (9), an obligation under any agreement entered into as provided  
14 in the program shall not be postponed more than five years from the time  
15 the obligation was to have been commenced under any such agreement.  
16 An obligation under any agreement entered into as provided in the pro-  
17 gram shall be postponed under clause (6) during the period of time the  
18 medical disability exists. An obligation under any agreement entered into  
19 as provided in the program shall be postponed under clause (8) during  
20 the period of time the person obligated remains on FMLA leave. An  
21 obligation under any agreement entered into as provided in the program  
22 shall be postponed under clause (9) during the period of time the state  
23 board of regents determines that the special circumstances exist. The  
24 state board of regents shall adopt rules and regulations prescribing criteria  
25 or guidelines for determination of the existence of special circumstances  
26 causing an inability to satisfy an obligation under any agreement entered  
27 into as provided in the program, and shall determine the documentation  
28 required to prove the existence of such circumstances.

29 (b) An obligation under any agreement entered into as provided in  
30 the program shall be satisfied: (1) If the obligation has been completed  
31 in accordance with the agreement; (2) if the person obligated dies; (3) if,  
32 because of permanent physical disability, the person obligated is unable  
33 to satisfy the obligation; (4) if the person obligated fails to satisfy the  
34 requirements for completion of the course of study after making the best  
35 effort possible to do so; or (5) if the person obligated fails to satisfy all  
36 requirements for a permanent license to practice nursing in Kansas or  
37 has been denied a license after applying for a license and making the best  
38 effort possible to obtain such license.

39 Sec. 7. The state board of regents shall adopt rules and regulations  
40 as necessary to administer the nurse educator service scholarship  
41 program.

42 Sec. 8. (a) There is hereby created in the state treasury the nurse  
43 educator service scholarship program fund. The executive officer shall

1 remit all moneys which are paid under section 4, and amendments  
2 thereto, pursuant to scholarship awards, or from a school of nursing,  
3 which are paid because of nonattendance or discontinued attendance by  
4 scholarship recipients, to the state treasurer in accordance with the pro-  
5 visions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each  
6 such remittance, the state treasurer shall deposit the entire amount in the  
7 state treasury to the credit of the nurse educator service scholarship pro-  
8 gram fund. All expenditures from such fund shall be for scholarships  
9 awarded under the program and shall be made in accordance with ap-  
10 propriation acts upon warrants of the director of accounts and reports  
11 issued pursuant to vouchers approved by the executive officer or by a  
12 person designated by the executive officer.

13 (b) There is hereby created in the state treasury the nursing service  
14 scholarship repayment fund. The executive officer shall remit all moneys  
15 received for amounts paid under section 5, and amendments thereto, to  
16 the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
17 and amendments thereto. Upon receipt of each such remittance the state  
18 treasurer shall deposit the entire amount in the state treasury to the credit  
19 of the nurse educator service scholarship repayment fund. All expendi-  
20 tures from such fund shall be for scholarships awarded under the program  
21 and shall be made in accordance with appropriation acts upon warrants  
22 of the director of accounts and reports issued pursuant to vouchers ap-  
23 proved by the executive officer or by a person designated by the executive  
24 officer.

25 Sec. 9. This act shall take effect and be in force from and after its  
26 publication in the statute book.