

WORKING DRAFT

SENATE FILE NO. _____

Nursing education.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to nursing education programs; establishing
2 a Wyoming investment in nursing program as specified;
3 specifying eligibility criteria; providing procedures for
4 application, administration and repayment of loans under
5 the Wyoming investment in nursing program as specified;
6 providing for appeals; requiring the Wyoming community
7 college commission to coordinate the development and
8 implementation of a nurse education program as specified;
9 requiring the commission to coordinate internet or similar
10 proprietary or common carrier electronic system courses to
11 meet prerequisites for entry into nursing programs as
12 specified; specifying conditions under which the Wyoming
13 community college commission and the University of Wyoming
14 shall fund additional teaching positions in nursing

1 education programs; providing appropriations; and
2 providing for an effective date.

3

4 *Be It Enacted by the Legislature of the State of Wyoming:*

5

6 **Section 1.** W.S. 9-2-123 is created to read:

7

8 **9-2-123. Wyoming investment in nursing loan and grant**
9 **program; eligibility criteria; procedures.**

10

11 (a) There is created the Wyoming investment in
12 nursing program administered by the Wyoming higher
13 education assistance authority created under W.S.
14 21-16-703. The program shall be known as the WYIN program.
15 Applicants may apply for loans from the WYIN program in
16 accordance with this section.

17

18 (b) To qualify for a loan under the WYIN program, the
19 applicant shall first:

20

21 (i) Be accepted into a nursing education program
22 at a Wyoming community college, the University of Wyoming,
23 or, in the case of a candidate for a doctoral degree, an
24 institution providing the required nursing education

1 courses under contract with the western interstate
2 commission for higher education; and

3

4 (ii) Apply for federal financial
5 assistance. Wyoming community colleges shall allow
6 students who apply for admission into an approved nurse
7 aide training or nursing education program, and who will
8 enroll in fewer than six (6) academic credit hours, to
9 apply for federal financial assistance.

10

11 (c) Subject to the availability of funds appropriated
12 for this program, loans under the WYIN program may be
13 granted to applicants enrolled or planning to enroll in
14 nursing education programs as follows:

15

16 (i) An applicant who is accepted into a Wyoming
17 licensed practical nurse or registered nursing education
18 program may be eligible for a loan to pay the costs of
19 attendance at the licensed practical nursing education
20 program or the registered nursing education program.
21 Students who successfully complete a licensed practical
22 nursing education program at a Wyoming community college
23 shall be deemed to have completed all first year nursing
24 education program requirements for a registered nursing

1 education program leading to an associate's degree offered
2 at the Wyoming community college which awarded the license
3 practical nurse certificate;

4
5 (ii) A registered nurse with a baccalaureate
6 degree who holds an unencumbered license with the Wyoming
7 board of nursing, has the equivalent of at least two (2)
8 years of full-time, continuous service teaching in a
9 nursing education program in Wyoming as a registered nurse
10 with a baccalaureate degree and is accepted into a Wyoming
11 nursing education program at the University of Wyoming
12 leading to a master's degree in nursing may be eligible for
13 a loan to pay the costs of attendance at the nursing
14 education program leading to a master's degree in nursing
15 provided that in order to receive a loan for a master's
16 degree program, the applicant shall agree to repay the loan
17 by teaching at a Wyoming college or the University of
18 Wyoming;

19
20 (iii) A registered nurse with a master's degree
21 in nursing who holds an unencumbered license with the
22 Wyoming board of nursing, has the equivalent of at least
23 two (2) years of full-time, continuous service teaching in
24 a nursing education program in Wyoming as a registered

1 nurse with a master's degree in nursing and is accepted
2 into a nursing education program at an institution
3 providing the required nursing education courses under
4 contract with the western interstate commission for higher
5 education leading to a doctorate level degree in nursing
6 may be eligible for a loan to pay the costs of attendance
7 at the nursing education program leading to a doctorate
8 level degree in nursing provided that in order to receive a
9 loan for a doctorate level degree program, the applicant
10 shall agree to repay the loan by teaching at the University
11 of Wyoming.

12
13 (d) A loan provided under this section shall not
14 exceed the cost of attendance for the approved program,
15 reduced by the amount of any Pell or other federal grant
16 received by the applicant.

17
18 (e) A recipient of a WYIN loan under this section may
19 repay the loan without cash payment by working in Wyoming
20 as a nurse or nurse educator as provided in subsection (f)
21 of this section. To qualify as repayment under this
22 subsection, work shall be performed within the following
23 time periods which begin with the calendar month following

1 the month in which the student completed the academic
2 program:

3

4 (i) If the loan can be repaid with work of two
5 (2) years or less, within three (3) years;

6

7 (ii) If the loan can be repaid with work of
8 greater than two (2) years, but no more than four (4)
9 years, within five (5) years;

10

11 (iii) If the loan can be repaid with work of
12 greater than four (4) years, within the amount of time the
13 loan could be repaid, plus two (2) years.

14

15 (f) Qualified work under subsection (e) of this
16 section shall be credited so that the student's loan
17 balance is reduced on the basis of one (1) year of full-
18 time employment repaying the loan balance for one (1)
19 academic year of full-time enrollment. Qualified work shall
20 be credited on a proportional basis.

21

22 (g) Any recipient of a WYIN loan who fails:

23

1 (i) To complete the academic program for which
2 the loan was provided shall commence cash repayment of the
3 loan no later than forty-five (45) days after the recipient
4 leaves the academic program;

5
6 (ii) To obtain employment in the targeted
7 occupation for which the person received the education
8 within ninety (90) days after successfully passing the
9 appropriate certification examination shall commence cash
10 repayment of the loan within one hundred twenty (120) days
11 after successfully passing the appropriate certification
12 examination;

13
14 (iii) The appropriate certification examination
15 on the first attempt may retake the appropriate
16 certification examination at the next available opportunity
17 before commencing repayment of the loan. The recipient
18 shall notify the Wyoming higher education assistance
19 authority or its contractor of the intent to retake the
20 examination and the date the examination will be taken. Any
21 recipient of a WYIN loan who fails the appropriate
22 certification examination after the second attempt shall
23 commence cash repayment of the loan within forty-five (45)
24 days after receipt of notification of the second failure by

1 the board of nursing. If the recipient of a WYIN loan who
2 fails the appropriate certification examination on the
3 first attempt does not retake the examination at the next
4 available opportunity, cash repayment shall commence within
5 forty-five (45) days after the next available examination
6 is conducted.

7
8 (h) Loan repayment options under this section may be
9 deferred for a period not to exceed four (4) years while a
10 loan recipient is serving on full-time active duty with any
11 branch of the military services of the United States.

12
13 (j) The Wyoming higher education assistance authority
14 shall have the powers and duties specified in W.S.
15 21-16-705 to implement this section and shall establish
16 terms and conditions of loans issued under this section,
17 including:

18
19 (i) Interest rates and loan terms;

20

21 (ii) The form and process for loan application,
22 review and award;

23

1 (iii) Criteria under which students may be
2 relieved from having to repay loans and interest thereon,
3 in whole or in part, where the requirement to repay would
4 cause undue hardship.

5
6 (k) Funding of the loan program established under
7 this section shall be by appropriation of the legislature.
8 The authority shall transfer approved loan amounts to the
9 university of Wyoming and to Wyoming community colleges at
10 which loan recipients are enrolled. In consultation with
11 the university and affected community colleges, the
12 authority shall establish procedures for transferring loan
13 amounts and for reporting requirements on the expenditure
14 of transferred loan amounts.

15
16 (m) Cash repayment of loans and interest thereon
17 shall be credited to the general fund.

18
19 (n) The authority shall annually review the loan
20 program established under this section and report to the
21 governor and the legislature in accordance with W.S.
22 9-2-1014, regarding program results, funds received and
23 loans issued during the preceding academic year, together

1 with the status of all outstanding loan commitments and
2 repayments under the program.

3

4 (o) This program created by this section shall expire
5 effective June 30, 2011.

6

7 (p) Notwithstanding subsection (o) of this section:

8

9 (i) Any person beginning a nursing education
10 program as authorized by this section shall continue to
11 receive funding for the program so long as the person
12 remains eligible as required by this section;

13

14 (ii) Repayment of loans provided under this
15 section shall continue as specified in this section until
16 all loan obligations have been satisfied.

17

18 **Section 2.** W.S. 21-17-107, 21-18-202(b) by creating
19 new paragraphs (v) and (vi), (c) by creating a new
20 paragraph (vii) and 21-18-317 are amended to read:

21

22 **21-17-107. Legislature to make appropriations.**

23

1 (a) The legislature shall appropriate monies intended
2 for the support and maintenance of the University of
3 Wyoming. The appropriations shall specify the purposes for
4 which the monies are intended and may be used. The
5 appropriations shall apply to and include all monies
6 received by the university from the United States for the
7 endowment and support of colleges for the benefit of
8 agriculture and mechanic arts. No expenditure shall be
9 made in excess of an appropriation, and no monies so
10 appropriated shall be used for any purpose other than that
11 for which they are appropriated.

12
13 (b) Subject to appropriation by the legislature, the
14 board of trustees shall fund an entry level teaching
15 faculty position whenever the university expands its
16 nursing program capacity by eight (8) students. The
17 university shall expend the funding under this subsection
18 only if enrollment in the nursing program of the university
19 was not less than ninety-five percent (95%) of the total
20 nursing program capacity at the beginning of the most
21 recent fall academic semester. Funding available for
22 expenditure under this subsection for the specific purpose
23 of expanding a nursing program capacity shall be reduced by
24 an amount equal to that provided to fund one (1) entry

1 level teaching position for every reduction of eight (8)
2 full-time equivalent students in the nursing program, as
3 determined by comparing the beginning enrollments of the
4 two (2) most recent fall academic semesters. Any
5 appropriation made for purposes of this subsection shall be
6 accounted for and distributed separately from
7 appropriations made pursuant to subsection (a) of this
8 section.

9
10 **21-18-202. Powers and duties of the commission.**

11
12 (b) The commission shall perform the following
13 coordination functions. In performing these coordination
14 functions all affected colleges and the commission shall be
15 involved:

16
17 (v) Subject to appropriation by the legislature,
18 coordinate the development and implementation of outreach
19 nurse education programs, including:

20
21 (A) Reviewing applications for development
22 of the programs;

23

1 (B) Contracting with Wyoming community
2 colleges to provide the programs established under this
3 paragraph, giving due consideration to the community
4 college with responsibility for the service area in which a
5 program is offered.

6
7 (vi) Coordinate the provision by means of
8 electronic internet or similar proprietary or common
9 carrier electronic system technology, by a community
10 college or several community colleges, of all prerequisite
11 courses necessary for entry into an educational program in
12 the field of nursing at a community college or a
13 baccalaureate degree program in nursing at the University
14 of Wyoming.

15
16 (c) The commission shall perform the following
17 administrative functions:

18
19 (vii) Subject to appropriation by the
20 legislature, the commission shall fully fund an entry level
21 teaching faculty position whenever a community college
22 expands its nursing program capacity by eight (8) students.
23 A community college shall be eligible to apply for the
24 funding under this paragraph only if enrollment in the

1 nursing program of the applicant institution was not less
2 than ninety-five percent (95%) of the total nursing program
3 capacity at the beginning of the most recent fall academic
4 semester. Funding provided under this paragraph for the
5 specific purpose of expanding a nursing program capacity
6 shall be reduced by an amount equal to that provided to
7 fund one (1) entry level teaching position for every
8 reduction of eight (8) full-time equivalent students in the
9 nursing program, as determined by comparing the beginning
10 enrollments of the two (2) most recent fall academic
11 semesters. Funding reductions shall not exceed the total
12 amount of funding provided to a community college under
13 this paragraph. Any appropriation made for purposes of this
14 paragraph shall, in accordance with W.S. 21-18-205(e), be
15 accounted for and distributed separately from the funding
16 allocation model for community colleges.

17

18 **21-18-317. Authority to provide educational program;**
19 **scope and approval of program.**

20

21 The community college district board of any community
22 college in this state may provide ~~the~~an educational
23 program ~~education~~ in the field of nursing. The educational
24 program shall be of ~~such~~the duration and intensity as may

1 be deemed appropriate by the community college district
2 board and the Wyoming state board of nursing and shall lead
3 to an associate degree in nursing and prepare each student
4 for licensure as provided by law. Approval of the Wyoming
5 state board of nursing is required prior to the
6 establishment of ~~any such~~ the nursing education.

7

8 **Section 3.**

9

10 (a) There is appropriated two million eight hundred
11 seventy-seven thousand three hundred twenty-five dollars
12 (\$2,877,325.00) to the Wyoming higher education assistance
13 authority from the general fund for the fiscal year
14 beginning July 1, 2003 to implement the provisions of W.S.
15 9-2-123. Any funds appropriated under this subsection that
16 are not expended, encumbered or obligated at the end of the
17 biennium shall revert to the general fund as provided by
18 W.S. 9-4-207.

19

20 (b) There is appropriated from the general fund to
21 the Wyoming community college commission five hundred
22 fifty-one thousand three hundred sixty-four dollars
23 (\$551,364.00) for the fiscal year beginning July 1, 2003,
24 to implement the provisions of W.S. 21-18-202(b)(v).

1

2 (c) There is appropriated from the general fund to
3 the Wyoming community college commission three hundred
4 seventy-eight thousand three hundred twenty-five dollars
5 (\$378,325.00) for the fiscal year beginning July 1, 2003,
6 to implement the provisions of W.S. 21-18-202(c)(vii).

7

8 (d) There is appropriated from the general fund to
9 the University of Wyoming sixty-five thousand dollars
10 (\$65,000.00) for the fiscal year beginning July 1, 2003, to
11 implement the provisions of W.S. 21-17-107(b).

12

13 **Section 4.** This act is effective July 1, 2003.

14

15

(END)