

## HOUSE BILL NO. HB0157

Health care professional education endowment.

Sponsored by: Representative(s) Harshman, Connolly,  
MacGuire, Walters, Washut and Zwonitzer and  
Senator(s) Furphy, Landen and Wasserburger

A BILL

for

1 AN ACT relating to medical education; creating an inviolate  
2 health care education endowment fund; providing for  
3 investment of monies in the fund; providing for  
4 distribution of monies; providing for the use of earnings  
5 for the support of certain medical education programs at  
6 the University of Wyoming and Wyoming community colleges;  
7 authorizing the use of earnings for student support  
8 payments and administrative costs; specifying goals;  
9 creating a board; requiring rulemaking; generally providing  
10 for administration of the act; providing a continuous and  
11 other appropriations; and providing for an effective date.

12

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

14

1           **Section 1.** W.S. 21-16-1701 through 21-16-1707 are  
2 created to read:

3

4           **21-16-1701. Short title.**

5

6 This article shall be known and may be cited as the  
7 "Wyoming Front Line Health Care Education Funding Act."

8

9           **21-16-1702. Definitions.**

10

11           (a) As used in this article:

12

13                   (i) "Board" means the Wyoming front line health  
14 care education endowment fund board created by W.S.  
15 21-16-1704;

16

17                   (ii) "Cost of attendance" means as defined in  
18 W.S. 21-16-1301(a)(v);

19

20                   (iii) "Department" means the department of  
21 education;

22

1           (iv) "Eligible institution" means the University  
2 of Wyoming or a Wyoming community college;

3

4           (v) "Endowment fund" means the Wyoming front  
5 line health care education endowment fund created by W.S.  
6 9-4-204(u)(ix);

7

8           (vi) "Income account" means the Wyoming front  
9 line health care education endowment fund income account  
10 created by W.S. 21-16-1703(b);

11

12           (vii) "Medical technician program" means a  
13 program that leads to a certificate or associate degree  
14 generally required to engage in health care by performing  
15 tests or other support services for physicians, physician  
16 assistants and nurses in a hospital or laboratory setting;

17

18           (viii) "Unmet financial need" means as defined  
19 in W.S. 21-16-1301(a)(xviii).

20

21           **21-16-1703. Wyoming front line health care education**  
22 **endowment fund; income account created; expenditures;**  
23 **purposes.**

1

2 (a) The Wyoming front line health care education  
3 endowment fund is created as provided by W.S.  
4 9-4-204(u)(ix). The endowment fund shall consist of those  
5 monies designated to the fund by law. Monies deposited to  
6 the endowment fund are inviolate and constitute a  
7 perpetual fund which shall be invested by the state  
8 treasurer as authorized under W.S. 9-4-715(a), (d) and (e)  
9 and in a manner to obtain the highest return possible  
10 consistent with preservation of the endowment fund corpus.

11

12 (b) The state treasurer shall credit annually to a  
13 Wyoming front line health care education endowment fund  
14 income account the earnings from endowment fund investments  
15 up to the spending policy amount established in W.S.  
16 9-4-719(y). Earnings for any fiscal year in excess of the  
17 spending policy amount shall be credited to a reserve  
18 account as provided by W.S. 9-4-719(u).

19

20 (c) Monies in the income account are continuously  
21 appropriated to the board for purposes of this article.

22

1           **21-16-1704. Wyoming front line health care education**  
2 **endowment fund board established; terms; meetings; duties.**

3  
4           (a) There is created Wyoming front line health care  
5 education endowment fund board. The members shall be as  
6 follows:

7  
8           (i) One (1) member appointed by the University  
9 of Wyoming board of trustees;

10  
11           (ii) One (1) member appointed by vote of the  
12 presidents of Wyoming community colleges;

13  
14           (iii) One (1) member appointed by the community  
15 college commission;

16  
17           (iv) Two (2) members who are active or retired  
18 health care providers appointed by the governor and  
19 confirmed by the senate;

20  
21           (v) Two (2) members of the public, one (1)  
22 appointed by the president of the senate and one (1)  
23 appointed by the speaker of the house of representatives.

1

2 (b) Members of the board shall serve for six (6) year  
3 terms, except that the members appointed pursuant to  
4 paragraphs (a)(i) through (iii) of this section shall serve  
5 an initial term of three (3) years. The board shall select  
6 one (1) of its members to serve as chair.

7

8 (c) The board shall meet as it determines necessary.  
9 All members shall serve without compensation for board  
10 service. Members who are not state employees shall be paid  
11 per diem and mileage for attending board meetings in the  
12 manner and amounts provided by law for state employees. The  
13 department of education shall provide budget, fiscal,  
14 administrative and clerical services to the board at a  
15 reasonable rate established by the department and agreed to  
16 by the board.

17

18 (d) The board may expend monies from the income  
19 account for distribution to eligible institutions as  
20 provided in W.S. 21-16-1705 and 21-16-1706 and for  
21 administrative expenses incurred by the board and the  
22 department for services provided to the board.

23

1           (e) The board shall adopt rules in accordance with  
2 the Wyoming Administrative Procedure Act as it determines  
3 necessary to carry out its duties under this article. The  
4 board shall not expend any funds from the income account,  
5 other than for administrative expenses of the board, until  
6 rules adopted by the board have become effective. Board  
7 rules shall include:

8

9           (i) Provisions for determining the allocation of  
10 endowment fund earnings for establishment and support of  
11 the medical education programs specified in subparagraphs  
12 (ii)(A) through (C) of this subsection and for payments for  
13 student enrollment in those programs as provided in this  
14 article;

15

16           (ii) Work requirements and other payment and  
17 repayment provisions for students receiving funds through  
18 eligible institutions under this article. These provisions  
19 shall be comparable to:

20

21           (A) Terms of the Wyoming investment in  
22 nursing program under W.S. 9-2-123 for students in a

1 nursing program eligible for student support payments under  
2 this article;

3

4 (B) Terms for physician assistants under  
5 the repayment programs in W.S. 21-16-202 for students in a  
6 physician assistant program eligible for student support  
7 payments under this article;

8

9 (C) Terms for allied health care providers  
10 under the repayment programs in W.S. 9-2-119 for students  
11 in a medical technician program eligible for student  
12 support payments under this article.

13

14 (iii) Criteria and procedures for board approval  
15 of the form and substance of agreements between eligible  
16 institutions and students for receiving funding under this  
17 article, including repayment provisions;

18

19 (iv) Criteria and procedures to approve a health  
20 care education program for funding under this article and  
21 for the amount of funding provided;

22



1           (v) Procedures for distributing approved student  
2 support payments and program support payments to eligible  
3 institutions;

4

5           (vi) Provision for the allocation of total  
6 earnings each fiscal year in accordance with the following:

7

8                   (A) Forty percent (40%) to fifty percent  
9 (50%) shall be allocated to programs and student support  
10 payments for programs described in subparagraph (h)(i)(A)  
11 of this section;

12

13                   (B) Twenty-five percent (25%) to thirty  
14 percent (30%) shall be allocated to programs and student  
15 support payments for programs described in subparagraph  
16 (h)(i)(B) of this section;

17

18                   (C) Twenty-five percent (25%) to thirty  
19 percent (30%) shall be allocated to programs and student  
20 support payments for programs described in subparagraph  
21 (h)(i)(C) of this section.

22

23           (f) The board may:

1

2           (i) Vary the governing terms of agreements  
3 between students and eligible institutions as the board  
4 determines best meets the goals specified in this article.  
5 In making these determinations the board shall consider,  
6 among other things, other state and federal programs  
7 providing payments for students enrolled in health care  
8 education programs and loan repayment programs for the  
9 same;

10

11           (ii) Consult with other governmental agencies  
12 and persons, as necessary;

13

14           (iii) Accept or decline federal grants and other  
15 contributions, grants, gifts, transfers, bequests and  
16 donations of any money or property from any source. Funds  
17 received by the board shall be deposited with the state  
18 treasurer, to be credited either to the endowment fund or  
19 the income account, consistent with the conditions attached  
20 to their receipt;

21

22           (iv) Recommend to the legislature changes to  
23 funding or other provisions of this article.

1

2           (g) The board shall annually report to the governor  
3 and the legislature no later than September 1 of each year  
4 commencing in 2022 with respect to all federal grants,  
5 state appropriations and other contributions, grants,  
6 gifts, bequests and donations received and credited to the  
7 endowment fund and income account during the preceding  
8 fiscal year. The report shall include all allocations of  
9 funds by the board to each eligible institution of higher  
10 education under this article, including the allocation of  
11 funds for program implementation and support and for  
12 student support payments under this article. The report  
13 shall include progress made to fulfill the goals stated in  
14 this article.

15

16           (h) In adopting rules and allocating funds pursuant  
17 to this article the board shall be guided by the following  
18 goals:

19

20           (i) To provide payments in each year of  
21 expenditure to support not fewer than:

22

1                   (A) Twenty (20) students enrolled in a  
2 program leading to degree supporting licensure as a  
3 physician assistant;

4

5                   (B) Twelve (12) students enrolled in a  
6 baccalaureate degree program supporting licensure as a  
7 nurse;

8

9                   (C) Twenty (20) students enrolled in an  
10 associate degree or certificate program supporting  
11 licensure as a medical technician.

12

13                   (ii) To provide to students enrolled in a  
14 program specified in subparagraphs (i)(A) through (C) of  
15 this subsection all or a portion of the student's unmet  
16 need for cost of attendance incurred for enrollment in the  
17 program in accordance with agreements between the  
18 institutions and students;

19

20                   (iii) To establish or support geographically  
21 dispersed health care education programs specified in this  
22 article among eligible institutions. In achieving this  
23 goal the board shall recognize economic efficiencies but

1 shall not allow those efficiencies to be the sole basis not  
2 to support geographic dispersal of programs;

3

4 (iv) To provide underserved communities with the  
5 health care providers identified in this subsection. In  
6 carrying out this article the board shall rely on  
7 assessments of the state's health care needs by geographic  
8 areas and by particular health care services as conducted  
9 by the office of rural health care and shall prioritize  
10 agreements under this article accordingly.

11

12 **21-16-1705. Student support; agreements; payments.**

13

14 (a) Before expending any funds provided under this  
15 article on behalf of a student enrolled in a health care  
16 provider program the eligible institution shall obtain an  
17 agreement whereby the student agrees to apply for federal  
18 financial assistance and any employer based financial  
19 assistance for which the applicant may be eligible and:

20

21 (i) Actively engage in professional health care  
22 practice in Wyoming for the period required by board rules  
23 for the program in which the student is enrolled; or

1

2           (ii) Repay all amounts expended by the state  
3 under this article on the student's education, together  
4 with interest, upon terms specified by board rule for the  
5 program in which the student was enrolled.

6

7           (b) The board shall provide approved student support  
8 payments to the eligible institution at which the student  
9 is enrolled. In consultation with eligible institutions the  
10 board shall establish procedures for transferring students  
11 and for reporting requirements on the expenditure of  
12 transferred student support payments.

13

14           (c) Cash repayment of student support payments and  
15 interest thereon shall be made to the appropriate eligible  
16 institution, forwarded to the board and credited to the  
17 income account.

18

19           (d) Student support payments under this article which  
20 pay for tuition and fees shall be separately accounted for  
21 by the eligible institution. These funds shall be used by  
22 the institution solely for the support of education and  
23 training in the program in which the student is enrolled.

1 The receipt and expenditure of these funds shall be  
2 identified in the university's biennial budget request and  
3 separately for each college in the biennial budget request  
4 of the community college commission.

5

6 **21-16-1706. Establishment and support of medical**  
7 **education programs.**

8

9 (a) The board may expend from the income account  
10 monies to eligible institutions for instructor positions  
11 and to acquire instructional and resource materials and  
12 classroom equipment necessary to establish or support a  
13 medical education program specified in W.S. 21-16-1704(h).  
14 Eligible institutions may collaborate on the use of funds  
15 received under this article, including entering into  
16 consortium agreements for the operation of a program.

17

18 (b) Funds distributed under this section shall be  
19 subject to the following:

20

21 (i) Eligible institutions shall apply to the  
22 board for funding of health care education programs at  
23 times determined by board rule;

1

2 (ii) The funds shall be designated as Wyoming  
3 front line health care education endowment monies,  
4 accounted for separately from funding provided under the  
5 allocation model under W.S. 21-18-205(c) and special  
6 purpose funding under W.S. 21-18-205(e) and shall not be  
7 transferred to or expended for any other purpose;

8

9 (iii) The funds shall be expended only for  
10 programs determined by the board to be eligible for funding  
11 under this article.

12

13 **21-16-1707. Establishment and support of health care**  
14 **education programs.**

15

16 The community college commission shall cooperate with the  
17 board, the department of health, community colleges and the  
18 University of Wyoming to establish programs of training and  
19 education for the professional health care services  
20 specified in W.S. 21-16-1704(h). The programs may be  
21 offered at the University of Wyoming or one (1) or more  
22 community colleges, or both, in collaboration.

23



1           **Section 2.** W.S. 9-4-204(u) by creating a new  
2 paragraph (ix), 9-4-714(a)(v), 9-4-719 by creating new  
3 subsections (t) through (y) and 21-18-202(b)(v) and (d)(i)  
4 are amended to read:

5

6           **9-4-204. Funds established; use thereof.**

7

8           (u) Other funds defined as follows shall be  
9 classified by the state auditor pursuant to subsections (s)  
10 and (t) of this section:

11

12           (ix) Wyoming front line health care education  
13 endowment fund - to consist of funds appropriated or  
14 designated by law, or by gift from whatever source. In  
15 accordance with Wyoming Constitution Article 15, Section  
16 20, monies within the fund shall not be expended and may be  
17 invested in the same manner as other permanent funds of the  
18 state. Earnings from investment of monies within the fund  
19 shall be distributed and expended as provided by law.

20

21           **9-4-714. Definitions.**

22

23           (a) As used in this act:

1

2 (v) "Permanent funds" means the permanent  
3 Wyoming mineral trust fund under W.S. 9-4-204(u)(iii), the  
4 Wyoming permanent land fund under W.S. 9-4-204(u)(iv), the  
5 excellence in higher education endowment fund under W.S.  
6 9-4-204(u)(vi), the Hathaway student scholarship endowment  
7 fund under W.S. 9-4-204(u)(vii), ~~and~~ the Hathaway expand  
8 Wyoming scholarship endowment fund under W.S.  
9 9-4-204(u)(viii) and the Wyoming front line health care  
10 education endowment fund under W.S. 9-4-204(u)(ix);

11

12 **9-4-719. Investment earnings spending policy**  
13 **permanent funds.**

14

15 (t) There is created the Wyoming front line health  
16 care education endowment reserve account. Interest and  
17 other earnings on funds within the account shall be  
18 credited to the account. As soon as possible after the end  
19 of each of the fiscal years beginning on and after July 1,  
20 2022, revenues in this account in excess of two hundred  
21 percent (200%) of the spending policy amount in subsection  
22 (y) of this section shall be credited to the Wyoming front

1 line health care education endowment fund created by W.S.  
2 9-4-204(u)(ix).

3  
4 (u) The earnings from the Wyoming front line health  
5 care education endowment fund during each fiscal year  
6 beginning July 1, 2022, in excess of the spending policy  
7 amount established in subsection (y) of this section shall  
8 be deposited by the state treasurer to the Wyoming front  
9 line health care education endowment reserve account. The  
10 excess earnings shall be credited to the reserve account as  
11 soon as practicable after the end of the fiscal year but no  
12 later than ninety (90) days after the end of the fiscal  
13 year.

14  
15 (w) To the extent the spending policy amount  
16 established in subsection (y) of this section exceeds  
17 earnings from the Wyoming front line health care education  
18 endowment fund for the prior fiscal year, the state  
19 treasurer shall distribute from the Wyoming front line  
20 health care education endowment reserve account an amount  
21 equal to the difference, and such amounts are continuously  
22 appropriated from the reserve account for that purpose.  
23 Any funds distributed pursuant to this subsection shall be

1 distributed no later than ninety (90) days after the end of  
2 the fiscal year and shall be distributed and expended as  
3 provided in the Wyoming Front Line Health Care Education  
4 Funding Act for earnings from the Wyoming front line health  
5 care education endowment fund. The state treasurer in  
6 consultation with the Wyoming front line health care  
7 education endowment fund board, shall report to the  
8 governor, joint appropriations committee, joint education  
9 interim committee and select committee on capital financing  
10 and investments no later than November 1 of any year in  
11 which funds have been or are anticipated to be distributed  
12 from the reserve account under this subsection.

13

14 (y) The annual spending policy amount for the Wyoming  
15 front line health care education endowment fund is an  
16 amount equal to five percent (5%) of the previous five (5)  
17 year average market value of the fund, as calculated from  
18 the first day of the fiscal year.

19

20 **21-18-202. Powers and duties of the commission.**

21

22 (b) The commission shall perform the following  
23 coordination functions. In performing these coordination

1 functions all affected colleges and the commission shall be  
2 involved:

3

4 (v) Coordinate the provision by means of  
5 electronic internet or similar proprietary or common  
6 carrier electronic system technology, by a community  
7 college or several community colleges, the general  
8 education courses necessary for completion of an  
9 educational program in the field of nursing at a community  
10 college, ~~or~~ a baccalaureate degree program in nursing at  
11 the University of Wyoming, and certificates or degrees for  
12 health care education programs provided pursuant to W.S.  
13 21-16-1707;

14

15 (d) The commission shall perform the following  
16 approval functions:

17

18 (i) Approve all new academic programs,  
19 including:

20

21 (A) Applied baccalaureate degree programs,  
22 qualifying for state funding pursuant to the statewide

1 community college strategic plan developed under subsection  
2 (h) of this section;

3

4 (B) Health care education programs  
5 established pursuant to W.S. 21-16-1707.

6

7 **Section 3.** The state treasurer and state auditor may  
8 use interfund loans as authorized by W.S. 9-1-417 to fund  
9 the administrative expenses of the board until sufficient  
10 earnings from investment of monies in the Wyoming front  
11 line health care education endowment fund have been  
12 deposited to the income account created in section 1 of  
13 this act to pay administrative expenses of the board,  
14 including repayment of any loans made under this section.

15

16 **Section 4.** Members of the Wyoming front line health  
17 care education endowment fund board created by section 1 of  
18 this act shall be appointed within thirty (30) days of the  
19 effective date of this act.

20

21 **Section 5.**

22

23 (a) There is appropriated:

1

2           (i) Fifty-five million dollars (\$55,000,000.00)  
3 from the legislative stabilization reserve account to the  
4 Wyoming front line health care education endowment fund  
5 created in sections 1 and 2 of this act;

6

7           (ii) Five million dollars (\$5,000,000.00) from  
8 the legislative stabilization reserve account to the  
9 Wyoming front line health care education endowment reserve  
10 account created in section 2 of this act.

11

12       **Section 6.** This act is effective immediately upon  
13 completion of all acts necessary for a bill to become law  
14 as provided by Article 4, Section 8 of the Wyoming  
15 Constitution.

16

17

(END)