

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 213

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO THE RURAL NURSING LOAN REPAYMENT PROGRAM; AMENDING TITLE 39,
2 IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 25, TITLE 39, IDAHO CODE,
3 TO ESTABLISH THE RURAL NURSING LOAN REPAYMENT PROGRAM, TO DEFINE TERMS,
4 TO ESTABLISH THE RURAL NURSING LOAN REPAYMENT FUND, TO PROVIDE FOR A
5 REVIEW BOARD, TO ESTABLISH PROVISIONS REGARDING THE SCOPE OF RURAL
6 NURSING LOAN REPAYMENT GRANT SUPPORT, TO ESTABLISH PROVISIONS REGARD-
7 ING ELIGIBILITY FOR GRANTS, TO ESTABLISH PROVISIONS REGARDING GRANT
8 APPLICATIONS, TO PROVIDE FOR A GRANT REWARD SCHEDULE, TO ESTABLISH PRO-
9 VISIONS REGARDING AWARD CRITERIA, TO ESTABLISH PROVISIONS REGARDING
10 FRAUDULENT INFORMATION ON A GRANT APPLICATION, TO PROVIDE AUTHORITY
11 TO THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE FOR ADMINISTRATIVE
12 APPEALS, AND TO PROVIDE A SUNSET DATE; AND DECLARING AN EMERGENCY AND
13 PROVIDING AN EFFECTIVE DATE.
14

15 Be It Enacted by the Legislature of the State of Idaho:

16 SECTION 1. That Title 39, Idaho Code, be, and the same is hereby amended
17 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
18 ter 25, Title 39, Idaho Code, and to read as follows:

19 CHAPTER 25

20 RURAL NURSING LOAN REPAYMENT PROGRAM

21 39-2501. RURAL NURSING LOAN REPAYMENT PROGRAM. A rural and under-
22 served nursing incentive program as set forth in this chapter shall be admin-
23 istered by the department of health and welfare. The program shall provide
24 for the payment of nursing education loans for eligible nurses practicing
25 in rural and underserved areas of the state subject to the requirements of
26 this chapter. The department of health and welfare may promulgate rules to
27 implement the provisions of this chapter.

28 39-2502. DEFINITIONS. As used in this chapter:

29 (1) "Applicant" means an individual submitting documents required by
30 the department of health and welfare for the purpose of requesting a grant
31 from the rural nursing loan repayment program.

32 (2) "Application period" means the time period from October 1 to Novem-
33 ber 30 of the state fiscal year for which funding is requested.

34 (3) "Approval" means written notification that the application will be
35 awarded funding through the rural nursing loan repayment program.

36 (4) "Board" means the rural nursing loan repayment grant review board.

37 (5) "Department" means the department of health and welfare.

38 (6) "Director" means the director of the department.

39 (7) "Eligible area" means:

1 (a) A rural area also designated by the United States secretary of
2 health and human services as a health professional shortage area;

3 (b) A county without a population center of twenty thousand (20,000) or
4 more persons; or

5 (c) All certified Idaho critical access hospitals.

6 (8) "Eligible employer" means:

7 (a) Critical access hospitals, federally qualified health centers,
8 rural health clinics, long-term care facilities, public health dis-
9 tricts, state hospitals, licensed home health agencies, licensed
10 hospice agencies, rural health care clinics, tribal clinics, veterans
11 health administration hospitals, veterans health administration clin-
12 ics, veterans health administration long-term care homes, or Indian
13 health service clinics; or

14 (b) Any other employer located in a rural area that employs nurses for
15 purposes of providing nursing services to patients, as determine by the
16 board.

17 (9) "Grant period" means the time immediately following the applica-
18 tion period from December 1 through June 30 for which funding is granted.

19 (10) "Nurse" means a licensed practical nurse or a registered nurse pur-
20 suant to chapter 14, title 54, Idaho Code.

21 (11) "Qualified nursing education debt" means a debt with a financial
22 aid program or financial institution incurred to meet the educational costs
23 of attending an accredited nursing school.

24 (12) "Recipient" means an individual who receives a grant pursuant to
25 this chapter.

26 (13) "Rural nurse" means a licensed nurse who spends a minimum of
27 thirty-two (32) hours per week, on average, providing nursing care to pa-
28 tients in an eligible area.

29 (14) "Rural nursing loan repayment fund" or "fund" means the fund in the
30 state treasury established in section 39-2503, Idaho Code.

31 (15) "Rural nursing loan repayment grant" or "grant" means a grant
32 awarded pursuant to this chapter.

33 (16) "Rural nursing loan repayment program" or "program" means the ru-
34 ral nursing loan repayment program established by this chapter.

35 39-2503. RURAL NURSING LOAN REPAYMENT FUND. There is hereby estab-
36 lished in the state treasury a rural nursing loan repayment fund to be
37 administered by the department. Moneys in the fund shall:

38 (1) Be subject to appropriation by the legislature to pay for:

39 (a) The educational debts of nurses in rural and underserved areas of
40 the state that demonstrate a need for assistance in nursing recruitment
41 and retention; and

42 (b) The expenses of administering the rural nursing loan repayment pro-
43 gram, which expenses shall not exceed ten percent (10%) of the annual
44 appropriation by the legislature; and

45 (2) Consist of:

46 (a) Legislative appropriations;

47 (b) Health care industry contributions, private donations, and federal
48 funds as available; and

49 (c) Interest earned on idle moneys in the fund.

1 39-2504. REVIEW BOARD. (1) The director shall appoint eight (8) mem-
2 bers of a board to be known as the rural nursing loan repayment grant review
3 board. Members of the board:

4 (a) Shall serve at the pleasure of the director; and

5 (b) Shall not be compensated but shall be reimbursed for travel ex-
6 penses incurred for attendance at board meetings.

7 (2) The board shall meet at least annually for the purposes described in
8 this chapter.

9 (3) The board shall be composed of the following:

10 (a) A rural hospital chief nursing officer or administrator;

11 (b) A rural long-term care chief nursing officer or administrator;

12 (c) A faculty member from an Idaho-accredited registered nursing
13 school;

14 (d) A faculty member from an Idaho-licensed practical nursing school;

15 (e) A federally qualified health center or rural health clinic repre-
16 sentative;

17 (f) A representative from the American nurses association-Idaho or the
18 nurse leaders of Idaho association;

19 (g) An Idaho hospital association representative; and

20 (h) An Idaho health care association representative.

21 (4) Appointments to the board shall be for three (3) years, except for
22 initial appointments to the board, which shall be staggered in such a manner
23 that approximately one-third (1/3) of the board members are appointed for
24 one (1) year, one-third (1/3) of the board members are appointed for two (2)
25 years, and one-third (1/3) of the board members are appointed for three (3)
26 years. Board members may be reappointed at the end of their terms.

27 (5) A majority of the board members constitutes a quorum for the trans-
28 action of business. A majority vote is required by the quorum in finalizing
29 decisions.

30 39-2505. SCOPE OF RURAL NURSING LOAN REPAYMENT GRANT SUPPORT. (1) The
31 board may award grants in accordance with the procedures and criteria in this
32 chapter to nurses for qualified education debt repayments and for nursing
33 education loan repayments.

34 (2) Rural nursing loan repayment grant awards.

35 (a) Grant award recipients will be determined annually by the board.

36 (b) Subject to available funding, the board may offer awards to up to
37 fifty (50) qualified applicants per year.

38 (c) A nurse selected to receive a rural nursing loan repayment grant
39 award shall be entitled to receive qualified nursing education debt re-
40 payments for a period not to exceed three (3) years.

41 (d) Award amounts shall consist of:

42 (i) Five thousand dollars (\$5,000) after the verified completion
43 of one (1) year of continuous employment by eligible employers in
44 an eligible area;

45 (ii) Ten thousand dollars (\$10,000) after the verified completion
46 of two (2) years of continuous employment by eligible employers in
47 an eligible area; and

1 (iii) Ten thousand dollars (\$10,000) after the verified comple-
 2 tion of three (3) years of continuous employment by eligible em-
 3 ployers in an eligible area.

4 (e) The award shall not exceed the qualified nursing education debt in-
 5 curred by the recipient, and the maximum amount of education debt repay-
 6 ments that a rural nurse may receive shall be twenty-five thousand dol-
 7 lars (\$25,000) over a three (3) year period.

8 (f) All nursing grant awards shall be paid directly from the rural nurs-
 9 ing loan repayment fund to the recipient of the award.

10 (g) In determining the awards to be made in any given year, the board
 11 and the department shall consider the value of retaining an appropriate
 12 balance in the fund for use in future years.

13 (h) An award payment to a recipient in a single year is not guaranteed or
 14 assured in subsequent years.

15 (3) Grant awards are limited to qualified education debt repayments and
 16 nursing loan repayments for nurses providing nursing care in eligible areas.

17 (4) Nothing in this chapter may be construed to require the provision of
 18 awards without an appropriation for that purpose.

19 39-2506. ELIGIBILITY FOR GRANTS. (1) A nurse who meets the following
 20 requirements is eligible to apply for a rural nursing loan repayment grant
 21 award:

22 (a) During the period covered by the award, the nurse must be a rural
 23 nurse providing nursing care in an eligible area. A nurse may provide
 24 patient care services in nursing care in more than one (1) eligible
 25 area;

26 (b) The nurse must be licensed as a licensed practical nurse or a regis-
 27 tered nurse and must have completed an accredited nursing program; and

28 (c) The nurse must hold an unrestricted Idaho nursing license and must
 29 be able to meet the nursing requirements of the eligible employer.

30 (2) Nurses receiving or having received other nursing educational loan
 31 repayment through programs such as the rural health care access program and
 32 the state loan repayment program are not eligible for this program.

33 (3) Advanced practice registered nurses are not eligible for this pro-
 34 gram.

35 39-2507. RURAL NURSING LOAN REPAYMENT GRANT APPLICATIONS RE-
 36 QUIRED. (1) A completed grant application must be submitted by the applicant
 37 to the department for the purpose of requesting a grant on or before the con-
 38 clusion of the application period specified for the appropriate grant cycle.
 39 All applications must include the required information.

40 (2) The grant application and any attachments submitted by the appli-
 41 cant shall be the primary source of information for awarding a grant. Addi-
 42 tionally, the board may request or use other information known to it in mak-
 43 ing its decision.

44 (3) All grant applications shall:

45 (a) Be on a form prescribed by the department; and

46 (b) Include a letter of support from an eligible employer along with
 47 supporting documentation.

1 39-2508. RURAL NURSING LOAN REPAYMENT GRANT AWARD SCHEDULE. (1) The
2 board shall conduct the grant process in accordance with the schedule pro-
3 vided in this section.

4 (2) The department will make available a list of areas eligible for po-
5 tential grant assistance no later than August 1 prior to the application pe-
6 riod.

7 (3) The department shall develop an application form and make guidance
8 available no later than October 1, which shall initiate the application pe-
9 riod prior to the grant period.

10 (4) The completed application shall be submitted to the department no
11 later than November 30 of the application period.

12 (5) Applications will be reviewed by the board, and the board will se-
13 lect award recipients from qualified applicants.

14 (6) The board shall issue notification to every applicant regarding the
15 disposition of their grant request by February 15 prior to the grant period.

16 (7) Funds for approved rural nursing loan repayment grants shall be
17 disbursed upon verified completion of employment by eligible employers af-
18 ter one (1) year, two (2) years, or three (3) years of continuous employment,
19 according to the payment schedule, that meets grant criteria.

20 39-2509. RURAL NURSING LOAN REPAYMENT AWARD CRITERIA. (1) Grant
21 awards shall be made by the board based on ranking and priority in accordance
22 with the following criteria:

23 (a) Priority shall be given to licensed practical nurses and registered
24 nurses who are Idaho residents and graduated from an accredited nursing
25 program in Idaho; and

26 (b) Award priority shall be given to nurses working in an eligible area
27 with a demonstrated nursing shortage.

28 (2) In reviewing and weighing the criteria listed in subsection (1) of
29 this section, the board shall consider all relevant factors.

30 (3) If a nurse selected for an award of debt payments does not accept the
31 award, then the award shall be made to an eligible nurse who has not yet been
32 awarded a grant and who best satisfies the criteria provided in subsection
33 (1) of this section.

34 39-2510. FRAUDULENT INFORMATION ON GRANT APPLICATION. Providing
35 false information on any application or document submitted under this chap-
36 ter is a misdemeanor and grounds for declaring the applicant ineligible. Any
37 and all funds determined to have been acquired on the basis of fraudulent
38 information must be returned to the rural nursing loan repayment grant pro-
39 gram. This section shall not limit other remedies that may be available for
40 the filing of false or fraudulent applications.

41 39-2511. DEPARTMENT AUTHORITY. The state department of health and
42 welfare is authorized to take all actions necessary to implement and enforce
43 the provisions of this chapter, including the promulgation of rules.

44 39-2512. ADMINISTRATIVE APPEALS. Applicants aggrieved by the award or
45 failure to award a grant pursuant to this chapter shall be afforded the reme-
46 dies provided in chapter 52, title 67, Idaho Code.

1 39-2513. SUNSET DATE. The provisions of this chapter shall be null,
2 void, and of no force and effect on and after June 30, 2029.

3 SECTION 2. An emergency existing therefor, which emergency is hereby
4 declared to exist, this act shall be in full force and effect on and after
5 July 1, 2023.