

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1581 Session of
2007

INTRODUCED BY HARKINS, DERMODY, THOMAS, GEORGE, KOTIK, HERSHEY,
BELFANTI, RUBLEY, WOJNAROSKI, MAHONEY, PAYNE, MILLARD,
SCAVELLO, READSHAW, YOUNGBLOOD, GOODMAN, SOLOBAY, LENTZ,
JOSEPHS, CARROLL, COHEN, WALKO, J. EVANS, GINGRICH, FREEMAN,
SAYLOR, FABRIZIO, PALLONE, HARPER, SURRA, KULA, MYERS,
DeLUCA, GIBBONS, CONKLIN, RAPP, PETRARCA, PETRONE, HARRIS,
McILHATTAN, LONGIETTI, BEAR, KIRKLAND, CURRY, MURT, KORTZ,
BARRAR, SONNEY, WANSACZ AND COSTA, JUNE 20, 2007

REFERRED TO COMMITTEE ON EDUCATION, JUNE 20, 2007

AN ACT

1 Establishing a nursing scholarship program.

2 TABLE OF CONTENTS

3 Chapter 1. Preliminary Provisions

4 Section 101. Short title.

5 Section 102. Purpose.

6 Section 103. Definitions.

7 Chapter 3. Administration

8 Section 301. Pennsylvania Nurse Scholarship Program.

9 Section 302. Nursing Baccalaureate Degree Scholarship.

10 Section 303. Nursing Program Scholarship.

11 Section 304. Administration.

12 Chapter 5. Miscellaneous Provisions

13 Section 501. Annual report.

14 Section 502. Minimum nursing data set.

1 Section 503. Appeals.

2 Section 504. Regulations.

3 Section 505. Funding.

4 Section 506. Effective date.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 CHAPTER 1

8 PRELIMINARY PROVISIONS

9 Section 101. Short title.

10 This act shall be known and may be cited as the Nursing
11 Scholarship Act.

12 Section 102. Purpose.

13 The purpose of this act is to provide an incentive to
14 Pennsylvania students to pursue higher education and training in
15 nursing which is essential to the delivery of quality health
16 care services in this Commonwealth.

17 Section 103. Definitions.

18 The following words and phrases when used in this act shall
19 have the meanings given to them in this section unless the
20 context clearly indicates otherwise:

21 "Agency." The Pennsylvania Higher Education Assistance
22 Agency.

23 "Approved course of study." A program or curriculum offered
24 by a postsecondary educational institution that provides
25 instruction in nursing and has been approved by the State Board
26 of Nursing.

27 "Approved educational institution." A postsecondary
28 educational institution located in this Commonwealth that is
29 authorized to provide approved courses of study and diplomas or
30 certificates approved by the Pennsylvania Higher Education

1 Assistance Agency as an institution in which students may enroll
2 to participate in the Pennsylvania Nurse Scholarship Program.

3 "Board." The State Board of Nursing.

4 "Licensed health care facility." A health care facility that
5 is enrolled in the Commonwealth's medical assistance program and
6 is licensed pursuant to the act of July 19, 1979 (P.L.130,
7 No.48), known as the Health Care Facilities Act, or Article X of
8 the act of June 13, 1967 (P.L.31, No.21), known as the Public
9 Welfare Code.

10 "Licensed practical nurse." An individual licensed under the
11 laws of this Commonwealth to practice practical nursing.

12 "Nurse." A licensed practical or registered nurse.

13 "Registered nurse." An individual licensed under the laws of
14 this Commonwealth to practice professional nursing.

15 "Student." An individual domiciled in this Commonwealth who
16 attends or is about to attend a postsecondary educational
17 institution located in this Commonwealth.

18 "Work requirement." Postgraduate, full-time employment in
19 direct patient care with a licensed health care facility located
20 in this Commonwealth in an occupation related to an approved
21 course of study under this act. The term does not include a paid
22 student internship, a paid fellowship, volunteer service or
23 employment before graduation.

24 CHAPTER 3

25 ADMINISTRATION

26 Section 301. Pennsylvania Nurse Scholarship Program.

27 (a) Establishment.--There is hereby established the
28 Pennsylvania Nurse Scholarship Program within the agency, to
29 consist of the Nursing Baccalaureate Degree Scholarship and the
30 Nursing Program Scholarship.

1 (b) Issuance of grants.--The agency may provide scholarship
2 grants to an eligible student who is a resident of this
3 Commonwealth upon confirmation from an approved educational
4 institution that the student is enrolled in an approved course
5 of study. Scholarship grants shall only be for the amount set
6 forth in sections 302(a) and 303(a) and shall only be used for
7 educational costs as determined by the agency.

8 (c) Other funding.--Prior to making a grant under this act,
9 the agency shall first apply Federal Pell Grant and State grants
10 available for educational costs related to an undergraduate
11 program prior to determining the amount of the scholarship
12 grant.

13 (d) Eligibility.--To receive a scholarship grant under this
14 chapter, a student shall meet all of the following requirements:

15 (1) Graduation from a high school in this Commonwealth,
16 or earned general educational development (GED) diploma or
17 the equivalent thereof.

18 (2) Maintenance of domicile in Pennsylvania during the
19 term of the scholarship grants.

20 (3) Compliance with any conditions placed on the
21 scholarship grant by the agency.

22 (4) Maintenance of satisfactory progress as established
23 by the approved educational institution's written policies.

24 (5) Entrance into a written agreement with the agency
25 to:

26 (i) Complete an approved course of study.

27 (ii) Commence employment involving direct patient
28 care with a licensed health care facility in this
29 Commonwealth within one year after completion of an
30 approved course of study for a period of one year for

1 each academic year the student received a scholarship
2 grant under this chapter unless the agency determines
3 that there are extenuating circumstances.

4 (iii) Reimburse the Commonwealth all amounts
5 received under this chapter and interest thereon, as
6 determined by the agency, if the student fails to comply
7 with subparagraphs (i) and (ii).

8 (e) Application.--A student shall apply to the agency for a
9 scholarship grant as prescribed by the agency, to include the
10 provision of all information and documentation required by the
11 agency. The application of a student under 18 years of age shall
12 include the signature of a parent or guardian.

13 (f) Work requirement.--The work requirement under subsection
14 (d)(5)(ii) shall begin after completion of the approved course
15 of study.

16 (g) Termination.--If a student terminates enrollment in the
17 approved educational institution during the academic year or
18 prior to completion of the approved course of study, the
19 approved education institution shall notify the agency in
20 writing and shall return all unused portions of the scholarship
21 grant. Returned amounts shall be used to fund other scholarship
22 grants under this chapter.

23 (h) Transfer.--A scholarship under this chapter is only
24 transferrable to another educational institution if approved by
25 the agency.

26 (i) Limitation.--Grants awarded under the Pennsylvania Nurse
27 Scholarship Program shall be limited to funds appropriated for
28 that purpose. First priority for awarding grants shall be given
29 to renewal applicants. Thereafter, grants shall be awarded on a
30 first-come, first-served basis.

(j) Minors.--A person under 18 years of age who otherwise qualifies for scholarship grants under this section shall not be disqualified based upon age.

(k) Ineligibility.--The agency may deny a scholarship grant to a student who is convicted under section 8.2 of the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law.

(l) Fraud.--Any person who knowingly or intentionally procures, obtains or aids another to procure or obtain a grant under this chapter through fraudulent means shall be disqualified from participation in the Pennsylvania Nurse Scholarship Program and shall be liable to the agency for an amount equal to three times the amount obtained.

Section 302. Nursing Baccalaureate Degree Scholarship.

(a) Amount of grants.--The agency shall award a Nursing Baccalaureate Degree Scholarship in the amount of \$3,000 per academic year, or a lesser amount following application of Federal and State grants under section 301(c) to a student enrolled full time in an approved educational institution pursuing a bachelor's degree in nursing. The student shall take at least 12 semester hours, or its equivalent, in an approved course of study.

(b) Term of grant.--The grant shall be for a maximum of four academic years.

Section 303. Nursing Program Scholarship.

(a) Amount of grants.--The agency shall award a Nursing Program Scholarship in the amount of \$1,500 per academic year or a lesser amount following application of Federal or State grants under section 301(c) to a student enrolled full time in an approved educational institution pursuing an associate's degree,

1 diploma or certificate. A student who is enrolled part time and
2 is pursuing an associate's degree, diploma or certificate is
3 eligible for a grant of 50% of educational costs as determined
4 by the agency.

5 (b) Term of grant.--The grant shall be for a maximum of two
6 academic years or for up to three academic years if the student
7 is enrolled in an approved course of study that, according to
8 the board, requires three academic years to complete. In order
9 to qualify for a grant in a third academic year, the student
10 must be in compliance with section 301(d) and the institution
11 must determine that the student is making satisfactory progress
12 toward completing an associate's degree or the requirements of
13 the diploma or certificate program.

14 Section 304. Administration.

15 (a) Verification.--The agency shall monitor and verify a
16 student's fulfillment of all work requirements under this
17 chapter.

18 (b) Enforcement.--The agency shall enforce repayment of all
19 scholarship grants for a student who does not comply with the
20 provisions of this chapter, to include use of all lawful
21 collection procedures and the use of private collection
22 agencies.

23 (c) Tax.--Scholarship grants received by a student under
24 this chapter shall not be considered taxable income for purposes
25 of Article III of the act of March 4, 1971 (P.L.6, No.2), known
26 as the Tax Reform Code of 1971.

27 (d) Financial assistance.--Scholarship grants received by a
28 student under this chapter shall not be considered financial
29 assistance or appropriations to the approved educational
30 institution.

1 (e) Customized job training.--No funds under this chapter
2 shall be granted to a person enrolled in a customized job
3 training partnership program or continuing education course from
4 a postsecondary educational institution for which an employer is
5 providing over 50% of the financial support, directly or
6 indirectly, and for which the student is not being charged
7 tuition or fees.

8 CHAPTER 5

9 MISCELLANEOUS PROVISIONS

10 Section 501. Annual report.

11 (a) Development of report.--The agency shall publish a
12 report by September 1, 2008, and every year thereafter for the
13 immediately preceding fiscal year. The report shall include
14 information regarding the operation of the programs established
15 under this act, including:

16 (1) The number of applications received for the Nursing
17 Baccalaureate Degree Scholarship and the Nursing Program
18 Scholarship.

19 (2) The number, type and amount of Nursing Baccalaureate
20 Degree Scholarships and Nursing Program Scholarships awarded.

21 (3) The number of scholarship grantees who withdraw from
22 the scholarship programs, reported by cause.

23 (4) The number of full-time and part-time students
24 receiving scholarships, reported by type of institution
25 attending, including four-year educational institutions,
26 community colleges, independent two-year colleges, private
27 licensed schools, hospital-based courses of study and
28 certificate programs.

29 (5) The number and type of enforcement actions taken by
30 the agency.

(b) Submission.--The annual report shall be submitted to the Governor, the chairman and minority chairman of the Appropriations Committee of the Senate, the chairman and minority chairman of the Appropriations Committee of the House of Representatives, the chairman and minority chairman of the Education Committee of the Senate, the chairman and minority chairman of the Public Health and Welfare Committee of the Senate and the chairman and minority chairman of the Health and Human Services Committee of the House of Representatives.

Section 502. Minimum nursing data set.

(a) Duty of State Board of Nursing.--The State Board of Nursing shall collect, store and make available nursing work force information regarding all of the categories of nurses.

(b) Information.--The information to be collected as part of the routine licensure renewal process on nurses shall include, but not be limited to:

(1) Demographics, including:

(i) Year of birth.

(ii) Ethnicity: Hispanic/Latino; Native Americans; Alaska Native; Asian; Pacific Islander; African American, not of Hispanic origin; White, not of Hispanic origin.

(iii) Zip code of residence.

(2) Basic education, including:

(i) Program type: LPN, hospital-based, ADN, BSN and MS.

(ii) Year graduated.

(iii) State in which basic program is located.

(3) Highest education attained, including:

(i) Program type: LPH, hospital-based, AA/AND, BS/BSN, MS/MSN and PhD/EdD.

(ii) Year graduated.

(iii) Preparation as advanced nurse practitioner,
nurse practitioner, nurse-midwife, clinical nurse
specialist and nurse anesthetist.

(4) Employment, including:

(i) Current employment.

(ii) Number of hours worked in typical week.

(iii) Setting of primary employer: hospital, long-
term care, ambulatory care, physician office, public
health, home health care or other.

(iv) Setting of secondary employer: hospital, long-
term care, ambulatory care, physician office, public
health care, home health care or other.

(v) Type of position: staff nurse, educator,
management, utilization/case management, advanced
practice or other.

(vi) Zip code of primary employer.

(vii) Currently unemployed in nursing: student;
seeking nursing employment; seeking employment in other
health-related field; seeking employment in other field;
employed in other health-related field; employed in other
field; not seeking nursing employment; not seeking
employment or retired.

(viii) Intention to remain employed in nursing, one
to three years; three to five years; five to ten years or
greater than ten years.

(5) Licensure, including:

(i) State issuing first license.

(ii) Year first license issued.

(iii) States where current licensure is held.

1 (iv) Name under which license issued or number of
2 license for each state in which nurse is licensed.

3 (c) Duty of Department of Labor and Industry.--The
4 Department of Labor and Industry shall, through its Center for
5 Workforce Information and Analysis, regularly analyze and
6 publish the information collected by the board in combination
7 with information obtained from employers to better understand
8 the supply and demand for nurses in this Commonwealth and to
9 assist in work force planning and development.

10 Section 503. Appeals.

11 The provisions of this act shall be subject to 22 Pa. Code
12 Ch. 121 (relating to student financial aid).

13 Section 504. Regulations.

14 The agency shall adopt regulations and procedures necessary
15 to carry out the purposes of this act.

16 Section 505. Funding.

17 Scholarship awards shall be made to the extent that funds are
18 appropriated by the General Assembly for this act.

19 Section 506. Effective date.

20 This act shall take effect in 90 days.