SENATE BILL NO. 20

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BY SENATOR MCMATH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT 2 To amend and reenact R.S. 46:1131, 1133 through 1138, 1140, and 1141, and to repeal Chapter 10-C of Title 46 of the Louisiana Revised Statutes of 1950, comprised of 3 4 R.S. 46:1151 through 1162, relative to hospital service districts scholarship 5 programs; to provide for scholarship programs for certain healthcare professionals; to provide for eligibility; to provide for application and evaluation procedures; to provide for disbursements; to provide for scholarship contracts; to provide for failure 8 to comply penalties and repayment procedures; to repeal scholarship programs for 9 certain healthcare professionals; to provide for an effective date; and to provide for 10 related matters. 11 Be it enacted by the Legislature of Louisiana: 12 Section 1. R.S. 46:1131, 1133 through 1138, 1140, and 1141 are hereby amended and 13 reenacted to read as follows: 14 CHAPTER 10-B. NURSING AND ALLIED HEALTH SCHOLARSHIPS 15 §1131. Parish hospitals and hospital service districts; nursing and allied health 16 scholarship program; establishment, administration, funding 17 A. The board of commissioners of each hospital or hospital service district, hereinafter referred to as the board or the board of commissioners, is authorized to 18 19 establish and administer a nursing scholarship program for the purpose of increasing 20 the educational opportunities available to nursing and allied health students who 21 will practice nursing in an area of the hospital district approved by the board of 22 commissioners. Each board which establishes such a program may award nursing 23 scholarships to residents or former residents of the hospital service district who

otherwise qualify, individuals who are admitted or engaged in the study of nursing

or allied health at an accredited school of nursing or allied health located in this

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1	state, and who contract to practice nursing or an allied health profession in the
2	district or parish, as provided in this Chapter. Each scholarship shall be awarded for
3	the purpose of defraying the costs of tuition, fees, and other related expenses and cost
4	for attendance at nursing or allied health school. The board may, at any time and in
5	its discretion, determine not to grant a scholarship under the program.
6	B. Any program established under the The provisions of this Chapter shall
7	be wholly funded by apply solely to monies generated by the respective boards
8	through their facilities, and upon the initiation of such a program, the program shall
9	become a part of the annual hospital budget.
10	C. For the purpose of this Chapter, the term "nursing" shall mean following
11	definitions shall apply:
12	(1) "Allied health" means any generally recognized medical profession
13	or vocation including but not limited to occupational, respiratory, vocational,
14	physical, and other therapies; medical, radiologic, and other technologists;
15	pharmacists, social workers, athletic trainers, and other similar professions and
16	vocations.
17	(2) "Nursing" means professional nursing as practiced by an individual who
18	has graduated from an accredited school of nursing, passed the licensing
19	examination, and been issued a license to practice as $\underline{\mathbf{a}}$ registered nurse in this state
20	by the Louisiana State Board of Nursing or a license to practice as a practical
21	nurse in this state by the Louisiana State Board of Practical Nurse Examiners.
22	* * *
23	§1133. Eligibility for scholarships
24	Any United States citizen and resident of the state of Louisiana, individual
25	who is admitted to or is engaged in the study of nursing or allied health at an
26	accredited school of nursing or allied health located in this state the United States,
27	and who intends to practice nursing or allied health in an area of the parish hospital

or hospital service district where there is a shortage of nurses or allied health

professionals shall be eligible to apply to the board of commissioners of the parish

hospital or hospital service district in the parish or district in which the applicant

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resides or once resided for a scholarship in accordance with the provisions of this Chapter. Such The application shall be in writing and in such the form as the board may require. It shall contain the written statement of the applicant that he intends to practice nursing or an allied health profession in the parish or district, as the case may be, an area approved by the board of commissioners if he is selected to receive the scholarship.

§1134. Application consideration; evaluation

It shall be the duty of the board The board of commissioners, or its designee, to shall receive, consider, evaluate, and allow or disallow all applications for scholarships made by eligible applicants. The board of commissioners, or its designee, shall make careful and conduct a full investigation of the ability and qualifications of each applicant. The board of commissioners shall provide that an affirmative action program for the selection of recipients be established which shall include that no discrimination occur on the basis of race, creed, sex, age, or ethnic origin. The board of commissioners shall establish and publish rules on the selection process of the recipient which shall preclude the appearance of and the possibility of nepotism. The board of commissioners shall notify each applicant selected to receive a scholarship of his selection and shall also notify the dean of the nursing school or office of financial assistance at the school where the student is registered. §1135. Funds disbursement for scholarships

Funds for the scholarship awarded as herein provided pursuant to this Chapter shall be forwarded by the board of commissioners to the dean of the school of nursing or allied health to which the recipient has been admitted or is engaged in the study of nursing or allied health, upon the warrant of the dean or chief fiscal administrator for the amount fixed in the warrant and or shall be payable to the scholarship recipient designated thereon on the warrant where applicable. Said warrant upon presentation shall be All amounts paid by the board of commissioners shall be out of funds budgeted by said the board for the that purpose.

§1136. Contract for scholarship; contingent

Any applicant selected by the board of commissioners to receive a

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scholarship shall enter into a contract with the board, which shall be deemed a contract formed within the state of Louisiana, agreeing to the terms and conditions upon which the scholarship shall be granted to the applicant. The contract shall include such the terms and provisions as will execute the full purpose and intent of this scholarship program, including the purpose of providing nurses or allied health professionals who will practice nursing within an area of the hospital district. The form of the contract shall be prepared and approved by the attorney general of this state. The chairman of the board of commissioners president and chief executive officer, or equivalent, of the hospital or hospital service district shall sign the contract, the vice-chairman of the board shall countersign it, and the applicant shall likewise sign it. The board shall preserve and maintain the contract until such time as the terms thereof are met or satisfied. A duplicate copy shall be transmitted to the applicant.

§1137. Return to practice; area designated; notification

A. Within such time after After the applicant has completed nursing or allied health school as the board of commissioners shall provide by regulation, the scholarship recipient shall return to the parish or hospital service district, as the case may be, to become a full time full-time registered nurse or allied health professional on the staff of the hospital service district or in an area designated by the board of commissioners prior to the return. For each one thousand dollars of scholarship monies received from the hospital district, the recipient shall be obligated to practice full time nursing for a period of six months up to a total not to exceed thirty-six months of full time work as consideration for the nursing scholarship awarded.

B. The board of commissioners shall inform the recipient of the designated area to be served by him one hundred twenty days prior to the date of which time the recipient is to commence practice in such the area.

§1138. Failure to comply; remittance; cancellation for death or permanent total disability

A. If the recipient fails to comply fully with any condition as provided for by

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this <u>in the</u> contract, the recipient shall remit to the board of commissioners that <u>an</u> amount which bears the same ratio to the aggregate of the amount of the scholarship awarded as the number of months that the recipient failed to comply <u>with this</u> condition bears to the number of months he was obligated to comply. <u>Said The</u> amount shall be computed together with interest at the legal rate, <u>such The</u> interest to <u>shall</u> be computed from the date on which the recipient completed professional training, and active military service, if any. <u>Such repayment Repayment</u> shall be completed within four years from the date at which the scholarship began to draw interest.

B. The permanent withdrawal or dismissal of a recipient from nursing <u>or</u> <u>allied health</u> school shall forfeit immediately the right of the recipient to retain the scholarship; the <u>The</u> scholarship shall begin to bear interest at that time and repayment shall be made to the board and completed within four years.

C. Any recipient of a scholarship who fails to return to the area designated by the board upon completion of nursing <u>his education and</u> training shall begin repayment of the scholarship, with interest, within six months after completion of nursing <u>his education and</u> training. Repayments shall be made to the board and completed within four years.

D. Any obligation to comply with such the contract shall be cancelled upon the death of the recipient, upon receipt of a certified copy of the death certificate by the board, or upon the permanent and total disability of the recipient.

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§1140. Repayment not required

Should full time full-time registered nurse positions not be available within the hospital service district and the hospital be unable to offer the scholarship recipient full time full-time employment within twelve months of completion of his training, the scholarship shall be considered paid in full. No payment on the principal of the scholarship, or the interest, shall be required while the recipient is enrolled in nursing or allied health school.

§1141. Suit for default

SB NO. 20 ENROLLED Upon default of payment of the scholarship as provided herein, the board 1 2 shall turn the matter over to the attorney general or any parish or district attorney 3 acting for the board for prosecution and begin efforts to recoup any amount owed 4 including but not limited to filing suit for the amount due. Venue for filing suit 5 shall be proper in the parish of the domicile of the recipient, the parish in which the nursing school at which the recipient was last enrolled is located, or the parish of 6 7 East Baton Rouge where the hospital service district is located. 8 Section 2. Chapter 10-C of Title 46 of the Louisiana Revised Statutes of 1950, 9 10 comprised of R.S. 46:1151 through 1162, is hereby repealed. 11 Section 3. This Act shall become effective upon signature by the governor or, if not 12 signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 13 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval. 15 PRESIDENT OF THE SENATE

	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	GOVERNOR OF THE STATE OF LOUISIANA
APPROVED:	