WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1985

ENROLLED
Committee Substitute for
SENATE BILL NO. 442

(By Mr. R. Williams, et al.)

PASSED April 8, 1985
In Effect ninety days from Passage
AN ACT to amend article twenty-four, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section one-c; and to amend article twenty-six of said chapter by adding thereto a new section, designated section twenty-nine, all relating to establishing a medical education fee; providing for the collection, disposition and use of such fee; establishing a medical student loan program and fund; authorizing the board of regents to promulgate rules and regulations for administration of the loan program; establishing minimum eligibility requirements; and providing for loan forgiveness in certain instances.

Be it enacted by the Legislature of West Virginia:

That article twenty-four, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section one-c; and that article twenty-six of said chapter be amended by adding thereto a new section, designated section twenty-nine, all to read as follows:
ARTICLE 24. FEES AND OTHER MONEY COLLECTED AT STATE INSTITUTIONS OF HIGHER EDUCATION.

§18-24-ic. Medical education fee.

1 In addition to the fees specifically provided for in sections one, one-a and one-b of this article, all medical students enrolled for credit at the West Virginia University school of medicine, Marshall University school of medicine and the West Virginia school of osteopathic medicine shall pay a medical education fee. The board of regents shall fix the fee rates for students at each institution and may from time to time change these rates. The fee imposed by this section is in addition to the maximum fees allowed to be collected under the provisions of section one of this article and is not limited thereby. Refunds of the fee may be made in the same manner as any other fee collected at state institutions of higher education. Medical education fees collected shall be deposited in a special revenue account which is hereby created in the state treasury for the school at which the fees are collected and shall be used by the school to offset general operating costs: Provided, That the board of regents may deposit a portion of the total fees collected therein into the medical student loan fund account in accordance with the provisions of section twenty-nine, article twenty-six of this chapter. Before the first day of July of each year, the board of regents shall provide the legislative auditor with a report of the projected fee collections for each of the schools of medicine.

ARTICLE 26. WEST VIRGINIA BOARD OF REGENTS.

§18-26-29. Medical student loan program; establishment; administration; eligibility; loan forgiveness.

1 There is hereby created a medical student loan program to be administered by the board. The purpose of this program is to provide loans to state residents who demonstrate financial need, meet academic standards and are enrolled or accepted for enrollment at the West Virginia University school of medicine, Marshall University school
(a) There is hereby established a special revolving fund account under the board in the state treasury to be known as the medical student loan fund which shall be used to carry out the purposes of this section. The fund shall consist of: (1) Amounts allocated by the board from the medical education fee as established by section one-c, article twenty-four of this chapter; Provided, That the board may transfer to this fund for student loans an amount not to exceed thirty-three percent of the total collections from the medical education fee in any one year; (2) appropriations provided by the Legislature; (3) principal and interest repaid by medical student loan recipients; and (4) other amounts which may be available from external sources. Balances remaining in the fund at the end of the fiscal year shall not expire or revert. No loans may be awarded under the provisions of this section until the first day of July, one thousand nine hundred eighty-six. All costs associated with the administration of this section shall be paid from the medical student loan fund.

(b) The board shall promulgate rules and regulations for the administration of the medical student loan program. Such rules and regulations shall include, but not be limited to, the areas of academic standards, financial need, loan amounts, residency requirements, loan repayment requirements, loan forgiveness provisions, interest rates, collection procedures and financial management. Loans shall be awarded at the institutional level in a manner consistent with rules and regulations promulgated by the board.

(c) An individual shall be eligible for loan consideration if he is a resident of this state as defined by the board, demonstrates financial need, meets established academic standards and is enrolled or accepted for enrollment at one of the aforementioned schools of medicine in a program leading to the degree of medical doctor (M.D.) or doctor of osteopathy (D.O.): Provided, That the individual has not yet received one of these degrees and is not in default of any previous student loan.
(d) The board, in conjunction with the state department of health, shall determine qualifying medically underserved areas and medical specialties in which there is a shortage of physicians.

At the end of each fiscal year, any individual who has received a medical student loan and who has actually rendered services as a medical doctor or doctor of osteopathy in this state in a designated medically underserved area or in a designated medical specialty in which there is a shortage of physicians, may submit to the board a statement of service on a form provided for that purpose. Upon receipt of such statement in proper form, the board shall cancel appropriate portions of the outstanding loan or loans in accordance with rules and regulations promulgated by the board.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 22nd day of April, 1985.

Governor