WEST VIRGINIA LEGISLATURE
Regular Session, 2002

ENROLLED

SENATE BILL NO. 709

(By Senator Jackson, et al)

PASSED March 9, 2002

In Effect ninety days from Passage
AN ACT to amend and reenact section three, article three, chapter eighteen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the health sciences scholarship program; providing that persons pursuing a master's degree in nursing are eligible under certain circumstances; and increasing the amount of the scholarships for medical students.

Be it enacted by the Legislature of West Virginia:

That section three, article three, chapter eighteen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.

§18C-3-3. Health sciences scholarship program; establishment; administration; eligibility.
(a) **Legislative findings.** – The Legislature finds that there is a critical need for additional practicing health care professionals in West Virginia. Therefore, there is hereby created a health sciences scholarship program to be administered by the vice chancellor for health sciences. The purpose of this program is to provide an incentive for health professional students to complete their training and provide primary care in underserved areas of West Virginia.

(b) **Establishment of special account.** – There is hereby established a special revolving fund account under the higher education policy commission in the state treasury to be known as the “Health Sciences Scholarship Fund” that shall be used to carry out the purposes of this section. The fund shall consist of one or more of the following: (1) All unexpended health sciences scholarship funds on deposit in the state treasury on the effective date of this section; (2) appropriations as may be provided by the Legislature; (3) repayments, including interest as set by the vice chancellor for health sciences, collected from scholarship recipients who fail to practice or teach in West Virginia under the terms of the scholarship agreement as set forth under this section; or (4) amounts that may become available from other sources. Balances remaining in the fund at the end of the fiscal year shall not expire or revert to the general revenue. All costs associated with the administration of this section shall be paid from the health sciences scholarship fund under the direction of the vice chancellor for health sciences.

(c) **Eligibility requirements.** – An individual is eligible for consideration for a health sciences scholarship if the individual: (1) Either: (A) Is a fourth-year medical student at the Marshall university school of medicine, West Virginia school of osteopathic medicine or West Virginia university school of medicine who has been accepted in a primary care internship/residency program in West Virginia; or (B) is enrolled or accepted for enrollment in an
approved education program at a West Virginia institution leading to a degree or certification in the field of nurse practitioner, nurse midwife, physician assistant or other disciplines identified as shortage fields by the vice chancellor for health sciences; and (2) signs an agreement to practice for at least two years in an underserved area of West Virginia as determined by the bureau of public health. An individual also is eligible for consideration for a health sciences scholarship if the individual is pursuing a master’s degree in nursing and signs an agreement to teach at least two years for a school of nursing located in West Virginia, as may be determined by the vice chancellor for health sciences, after receiving her or his master's degree. Awarding preference will be given to West Virginia residents.

(d) Scholarship awards. — Scholarships shall be in the amount of twenty thousand dollars for medical students and ten thousand dollars for all others and may be awarded by the vice chancellor for health sciences, with the advice of an advisory panel, from the pool of all applicants with a commitment to practice in an underserved area of West Virginia as determined by the bureau of public health. Nothing herein shall be construed as granting or guaranteeing any applicant any right to such a scholarship.

(e) Repayment provisions. — A scholarship recipient who fails to practice in an underserved area of West Virginia within six months of the completion of his or her training, who fails to complete his or her training or who fails to complete the required teaching is in breach of contract and is liable for repayment of the total scholarship amount received plus interest. The granting or renewal of a license to practice in West Virginia or to reciprocal licensure in another state based upon licensure in West Virginia shall be contingent upon beginning payment and continuing payment until complete repayment of the total scholarship amount if the recipient fails to practice in an underserved area.
area. No license, renewal or reciprocity shall be granted to persons whose repayments are in arrears. The appropriate regulatory board shall inform all other states where a recipient has reciprocated based upon West Virginia licensure of any refusal to renew licensure in West Virginia as a result of failure to repay the scholarship amount. This provision shall be explained in bold type in the scholarship contract. Repayment terms, not inconsistent with this section, shall be established by the vice chancellor for health sciences pursuant to rules as required under subsection (f) of this section.

(f) *Promulgation of rules.* – The higher education policy commission shall promulgate rules pursuant to article three-a, chapter twenty nine-a of this code necessary for the implementation and administration of this section.

(g) *Definitions.* – For purposes of the repayment provisions of this section, the term “training” means the entire degree program or certification program for nurse midwives, nurse practitioners, physician assistants and other disciplines identified as shortage field by the vice chancellor. The term also means the completion of a degree program and includes completion of an approved residency/internship program for students pursuing a degree in medicine or a degree in osteopathy.
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 is approved this the 27th Day of March, 2002.

Governor