WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2008

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 4433

(By Delegates M. Poling, Paxton, Crosier, Gall, Pethotel, Shaver, Williams, Wysong, Stephens, Wells and Rowan)

Passed March 8, 2008

In Effect Ninety Days from Passage
AN ACT to amend and reenact §18C-3-1 of the Code of West Virginia, 1931, as amended, relating to health education student loan fund; and increasing the portion of a medical student loan that may be cancelled under certain circumstances.

Be it enacted by the Legislature of West Virginia:

That §18C-3-1 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.

§18C-3-1. Health Education Loan Program; establishment; administration; eligibility and loan cancellation; required report.
(a) For the purposes of this section, "Vice Chancellor for Administration" means the person employed pursuant to section two, article four, chapter eighteen-b of this code.

(b) There is continued a special revolving fund account administered by the Commission in the state treasury to be known as the Health Education Student Loan Fund which shall be used to carry out the purposes of this section. The fund consists of the following:

1. All funds on deposit in the medical student loan fund in the state treasury or which are due or become due for deposit in the fund as obligations made under the previous enactment of this section;

2. Those funds provided for medical education pursuant to the provisions of section four, article ten, chapter eighteen-b of this code;

3. Appropriations provided by the Legislature;

4. Repayment of any loans made under this section;

5. Amounts provided by medical associations, hospitals or other medical provider organizations in this state, or by political subdivisions of the state, under an agreement which requires the recipient to practice his or her health profession in this state or in the political subdivision providing the funds for a predetermined period of time and in such capacity as set forth in the agreement; and

6. Other amounts which may be available from external sources.

(c) Balances remaining in the fund at the end of the fiscal year do not expire or revert. All costs associated with
administering this section shall be paid from the Health Education Student Loan Fund.

(d) The Vice Chancellor for Administration may utilize any funds in the Health Education Student Loan Fund for the purposes of the Medical Student Loan Program. The Commission shall give priority for the loans to residents of this state, as defined by the Commission. An individual is eligible for loan consideration if the individual meets the following conditions:

(1) Demonstrates financial need;

(2) Meets established academic standards;

(3) Is enrolled or accepted for enrollment at the West Virginia University School of Medicine, the Marshall University School of Medicine, or the West Virginia School of Osteopathic Medicine in a program leading to the degree of medical doctor (M.D.) or doctor of osteopathy (D.O.);

(4) Has not yet received one of the degrees provided in subdivision (3) of this subsection; and

(5) Is not in default of any previous student loan.

(e) At the end of each fiscal year, any individual who has received a medical student loan and who has rendered services as a medical doctor or a doctor of osteopathy in this state in a medically underserved area or in a medical specialty in which there is a shortage of physicians, as determined by the Division of Health at the time the loan was granted, may submit to the Commission a notarized, sworn statement of service on a form provided for that purpose. Upon receipt of the statement the Commission shall cancel ten thousand dollars of the outstanding loan or loans for
every full twelve consecutive calendar months of such
service.

(f) No later than thirty days following the end of each
fiscal year, the Vice Chancellor for Administration shall
prepare and submit a report to the Commission for inclusion
in the statewide report card required under section eight,
article one-d, chapter eighteen-b of this code to be submitted
to the Legislative Oversight Commission on Education
Accountability established under section eleven, article
three-a, chapter twenty-nine-a of this code. At a minimum,
the report shall include the following information:

(1) The number of loans awarded;

(2) The total amount of the loans awarded;

(3) The amount of any unexpended moneys in the fund;

and

(4) The rate of default during the previous fiscal year on
the repayment of previously awarded loans.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 28th day of __________, 2008.

Governor
PRESENTED TO THE
GOVERNOR

MAR 25 2008

Time 10:20AM