

# WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

ENROLLED

Senate Bill 198

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

2017 APR 18 P 3:16

FILED

BY SENATORS TAKUBO, PLYMALE AND JEFFRIES

[Passed April 4, 2017; in effect 90 days from passage]

SB 198

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1 AN ACT to amend and reenact §18C-3-3 of the Code of West Virginia, 1931, as amended, relating  
2 to expansion of the Health Sciences Service Program to allow for persons who practice  
3 emergency medicine in underserved areas of the state.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.**

**§18C-3-3. Health Sciences Service Program; establishment; administration; eligibility.**

1 (a) *Legislative findings.* — The Legislature finds that there is a critical need for additional  
2 practicing health care professionals in West Virginia. Therefore, there is created a Health  
3 Sciences Service Program to be administered by the Vice Chancellor for Health Sciences. The  
4 purpose of this program is to provide an incentive for health professional students to complete  
5 their training and provide primary care and emergency medical care in underserved areas of West  
6 Virginia.

7 (b) *Special account.* — There is continued a special revolving fund account under the  
8 Higher Education Policy Commission in the State Treasury formerly known as the Health  
9 Sciences Scholarship Fund and hereafter designated the Health Sciences Service Program Fund.  
10 The fund shall be used to accomplish the purposes of this section. The fund consists of any of  
11 the following:

12 (1) All unexpended health sciences scholarship funds on deposit in the State Treasury on  
13 the effective date of this section;

14 (2) Appropriations as may be provided by the Legislature;

15 (3) Repayments, including interest as set by the Vice Chancellor for Health Sciences,  
16 collected from program award recipients who fail to practice or teach in West Virginia under the  
17 terms of an award agreement or the health sciences scholarship program previously established  
18 by this section; and

19 (4) Amounts that may become available from other sources.

20 Balances remaining in the fund at the end of the fiscal year do not expire or revert to the  
21 general revenue. All costs associated with the administration of this section shall be paid from the  
22 Health Sciences Service Program Fund under the direction of the Vice Chancellor for Health  
23 Sciences.

24 (c) *Eligibility requirements.* — Award preference is given to West Virginia residents. An  
25 individual is eligible for consideration for a Health Sciences Service Program award if the  
26 individual:

27 (1) Either:

28 (A) Is a fourth-year medical student at the Marshall University School of Medicine, West  
29 Virginia School of Osteopathic Medicine or West Virginia University School of Medicine who has  
30 been accepted in a primary care or emergency medicine internship/residency program in West  
31 Virginia; or

32 (B) Is enrolled in an approved education program at a West Virginia institution leading to  
33 a degree or certification in the field of nurse practitioner, nurse educator, nurse midwife, physician  
34 assistant, dentist, pharmacist, physical therapist, doctoral clinical psychologist, licensed  
35 independent clinical social worker or other disciplines identified as shortage fields by the Vice  
36 Chancellor for Health Sciences; and

37 (2) Signs an agreement to practice for at least two years in an underserved area of West  
38 Virginia or, if pursuing a Master's Degree in nursing, signs an agreement to teach at least two  
39 years for a school of nursing located in West Virginia, as may be determined by the Vice  
40 Chancellor for Health Sciences, after receiving the master's degree.

41 (d) *Program awards.* — Program awards shall be in an amount set by the Higher  
42 Education Policy Commission of at least \$20,000 for medical and dental students and at least  
43 \$10,000 for all others and may be awarded by the Vice Chancellor for Health Sciences, with the  
44 advice of an advisory panel, from the pool of all applicants with a commitment to practice in an

45 underserved area of West Virginia. This section does not grant or guarantee any applicant any  
46 right to a program award.

47 (e) *Repayment provisions.* — A program award recipient who fails to practice in an  
48 underserved area of West Virginia within six months of the completion of his or her training, or  
49 who fails to complete his or her training or required teaching, is in breach of contract and is liable  
50 for repayment of the program award and any accrued interest. The granting or renewal of a license  
51 to practice in West Virginia or to reciprocal licensure in another state based upon licensure in  
52 West Virginia is contingent upon beginning payment and continuing payment until complete  
53 repayment of the award and any accrued interest. A license, renewal or reciprocity may not be  
54 granted to any person whose repayment is in arrears. The appropriate regulatory board shall  
55 inform all other states where a recipient has reciprocated based upon West Virginia licensure of  
56 any refusal to renew licensure in West Virginia as a result of failure to repay the award. This  
57 provision shall be explained in bold type in the award contract. Repayment terms, not inconsistent  
58 with this section, shall be established by the Vice Chancellor for Health Sciences pursuant to the  
59 rule required by this section.

60 (f) *Rule.* — The Higher Education Policy Commission shall promulgate a rule pursuant to  
61 article three-a, chapter twenty-nine-a of this code to implement and administer this section.

62 (g) *Definitions.* — As used in this section:

63 (1) "Training" means:

64 (A) The entire degree program or certification program for nurse midwives, nurse  
65 practitioners, nurse educators, physician assistants, dentists, pharmacists, physical therapists,  
66 doctoral clinical psychologists, licensed independent clinical social workers and other disciplines  
67 identified as shortage fields by the Vice Chancellor for Health Sciences; or

68 (B) Completion of a degree program and an approved residency/internship program for  
69 students pursuing a degree in medicine or osteopathy, or as otherwise may be designated for  
70 such students in the rule required by this section.

71           (2) "Underserved area" means any primary care health professional shortage area located  
72 in the state as determined by the Bureau for Public Health or any additional health professional  
73 shortage area, including an emergency medicine professional determined by the Vice Chancellor  
74 for Health Sciences.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*[Signature]*  
.....  
Chairman, Senate Committee

*[Signature]*  
.....  
Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

*[Signature]*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*[Signature]*  
.....  
President of the Senate

*[Signature]*  
.....  
Speaker of the House of Delegates

FILED  
2017 APR 18 P 3:16  
OFFICE WEST VIRGINIA  
SECRETARY OF STATE

The within *is approved* this the *18th*  
Day of *April*, 2017.

*[Signature]*  
.....  
Governor

PRESENTED TO THE GOVERNOR

APR 13 2017

Time 9:07 am