

# WEST VIRGINIA LEGISLATURE

## 2021 REGULAR SESSION

**Introduced**

### **House Bill 2831**

**FISCAL  
NOTE**

BY DELEGATES GRAVES, SKAFF, ELLINGTON,  
HOUSEHOLDER, PACK, TULLY, BARRETT AND YOUNG

[Introduced March 02, 2021; Referred  
to the Committee on Health and Human Resources  
then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
 2 designated §18B-16A-1, §18B-16A-2, §18B-16A-3, and §18B-16A-4, all relating to a  
 3 nursing program expansion pilot project; establishing a pilot project; providing for an  
 4 application and selection process; providing for funding; and setting forth accountability  
 5 and reporting requirements.

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

**ARTICLE 16A. NURSING PROGRAM EXPANSION PILOT PROJECT.**

**§18B-16A-1. Establishment of the nursing program expansion pilot project.**

1 A nursing program expansion pilot project is herein developed to help reverse the growing  
 2 shortage of qualified nursing personnel in the state. By October 1, 2021, under the direction and  
 3 administration of the Vice Chancellor for health services, the commission’s division of health  
 4 sciences shall develop a pilot project for nursing program expansion at four public two or four year  
 5 colleges and universities for 20 students per pilot program to be admitted for fall 2022. Prior to  
 6 implementation of the pilot project, the commission shall submit its plans for approval to the  
 7 Legislative Oversight Commission for Health and Human Resources Accountability for its  
 8 consideration prior to the 2022 Legislative session.

**§18B-16A-2. Application and program selection process.**

1 (a) The commission’s division of health sciences shall create an application and selection  
 2 process for the nursing program expansion pilot project. The selection of programs for funding  
 3 shall be based on the following:

4 (1) Attainment by the nursing program of accreditation by a national nursing accrediting  
 5 agency recognized by the United States Department of Education prior to application;

6 (2) Ability to scale nursing program for cohort to be entered into in fall 2022 including hiring  
 7 of faculty, establishment of clinical sites, and procurement of appropriate resources;

8 (3) Commitment by a hospital, long term care, health system or other health care entity to  
 9 provide matching funds and in-kind support for the nursing program expansion pilot project

10 including, but not limited to, preceptors, faculty, simulation resources, physical space, and  
11 scholarships;

12 (4) Presentation of a plan for success with an expanded class including, but not limited to,  
13 retention, graduation, and licensure examination success; and

14 (5) Plan for assistance with career placement in the state upon graduation.

15 (b) The selection of programs under this subsection shall be open and competitive, and  
16 shall observe as criteria the following factors:

17 (1) The degree of community interest, support and involvement in seeking a nursing  
18 program expansion pilot project;

19 (2) Qualification as a medically underserved or health professional shortage area;

20 (3) The financial need of the community;

21 (4) Statewide geographic dispersion;

22 (5) The adequacy of facilities available to accommodate the nursing program expansion  
23 pilot project;

24 (6) The amount and manner in which health care needs unique to West Virginia are  
25 addressed and will be addressed; and

26 (7) The degree to which State Institutions of Higher Education cooperate in the nursing  
27 program expansion pilot project.

**§18B-16A-3. Funding.**

1 (a) The nursing program expansion pilot project established in this article shall be  
2 supported financially in part from line item appropriations to the University of West Virginia health  
3 sciences account. Appropriations to the University of West Virginia health services account to  
4 support the nursing pilot program shall be by line item.

5 (1) Notwithstanding any other provision of this code, any funds appropriated to support  
6 the nursing program expansion pilot project that remain unallocated or unexpended at the end of  
7 any fiscal year shall not expire, shall remain in the line item to which they were originally

8 appropriated, and shall be available in the next fiscal year to the Vice Chancellor for health  
9 services and the commission's division of health services for allocation or expenditure for the  
10 purposes of this article.

11 (2) Additional financial support shall come from fees generated by services, from grants  
12 and contracts, and from community resources. Any fees so generated shall be paid to and  
13 expended by the site selected for a nursing pilot program unless an alternative fee arrangement  
14 is mutually agreed upon by the chief administrator of the site and the Vice Chancellor for health  
15 sciences.

16 (b) Consistent with the Legislative declaration, in §18B-2-6 of this code, that adequate  
17 funding will be pursued to maintain the accreditation, integrity and quality of medical education  
18 and other health sciences programs, the commission's division of health sciences shall prepare  
19 a budget for the nursing program expansion pilot project established in this article with funding  
20 included for, but not limited to, the following:

21 (1) Salary and benefits for nursing program expansion pilot project faculty and staff;

22 (2) Student financial support or assistance in exchange for a commitment to render one  
23 year of nursing services in West Virginia for each year of financial support; and

24 (3) Resources including, but not limited to, simulation, equipment technology, and physical  
25 space to support program expansion.

26 (c) A preference for funding will be given by the commission's division of health sciences  
27 to programs with a history of:

28 (1) Success rates on the National Council Licensure Examination (NCLEX) that are above  
29 the state average; and

30 (2) High levels of retention of graduates who remain in West Virginia after graduation.

**§18B-16A-4. Accountability, reports required.**

1 (a) The commission's division of health services shall report at least annually, before  
2 January 4 each year, to the Joint Legislative Oversight Commission on Education Accountability

3 created under §29A-3A-11 of this code and to the Area Health Education Centers Subcommittee  
4 of the Joint Committee on Government and Finance regarding the status of nursing program  
5 expansion pilot project outcomes.

6 (b) The commission's division of health services shall report at least annually, before July  
7 30 each year, on the status of nursing program expansion pilot project outcomes.

8 (c) For purposes of the reports required herein, the nurse pilot program outcomes to be  
9 considered shall, at a minimum, include the following:

10 (1) The number of admissions to the pilot project;

11 (2) The retention by year of the pilot project;

12 (3) The graduation rate of the expanded nursing program class;

13 (4) The licensure examination pass rate for graduates of the expanded nursing program  
14 class;

15 (5) The retention for employment in West Virginia of expanded nursing program  
16 graduates; and

17 (6) Any other outcomes designed by the Vice Chancellor for health services for reporting.

18 (d) The Legislative Auditor, at the direction of the Joint Committee on Government and  
19 Finance, shall perform on an ongoing basis a fiscal audit of the nurse pilot program project for  
20 periodic review by the Legislature.

NOTE: The purpose of this bill is to establish a nursing program expansion pilot project. The bill provides for an application and selection process, provides for funding, and sets forth accountability and reporting requirements.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.