

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 5175

BY DELEGATES ELLINGTON, TULLY, SUMMERS, STATLER,

TONEY, HORNBY, LUCAS, AND LONGANACRE

[Passed February 29, 2024; in effect ninety days from
passage.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18B-16-6; to amend and reenact §18C-3-4 of said code; to repeal §30-7A-7a
3 of said code; and to repeal §30-7B-1, §30-7B-2, §30-7B-3, §30-7B-4, §30-7B-5, §30-7B-
4 6, and §30-7B-7 of said code, all relating to abolishing the Center for Nursing; repealing
5 the supplemental licensure fee for licensed practical nurses, which funds the Center for
6 Nursing; creating within the Higher Education Policy Commission an Office of Nursing
7 Education and Workforce Development; moving the functions of the Center for Nursing to
8 the Office of Nursing Education and Workforce Development; changing name of Center
9 for Nursing Fund to Nursing Scholarship and Workforce Fund; transferring certain fund-
10 related duties from the vice chancellor for administration to the chancellor; modifying
11 funding sources for the fund; and limiting application of the award eligibility requirement
12 that a student in a registered nurse program have completed half of the program to only
13 those students in pre-licensure programs.

Be it enacted by the Legislature of West Virginia:

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 16. HEALTH CARE EDUCATION.

§18B-16-6. Nursing Education and Workforce Development Programs.

1 (a) There is hereby created within the commission an office of nursing education and
2 workforce development for the purpose of addressing the issues of education, recruitment, and
3 retention of nurses in West Virginia. The commission is the state's designated nursing workforce
4 center.

5 (b) The duties of the office shall include, but are not limited to:

6 (1) Promoting and coordinating, through the schools of nursing in the state's institutions
7 of higher education, opportunities for nurses prepared at the certificate, associate degree, and
8 bachelor degree levels to obtain higher degrees;

9 (2) Supporting initiatives for expansion of nursing programs;

10 (3) Administering the nursing scholarship program designed to benefit nurses who practice
11 or teach in state nursing programs as provided in §18C-3-4 of this code;

12 (4) Gathering, quantifying, and disseminating dependable data on current nursing
13 educational programs and workforce capacities; and

14 (5) Performing other activities necessary or expedient to accomplish the purposes and
15 implement the provisions of this section and §18C-3-4 of this code.

CHAPTER 18C. STUDENT LOANS; SCHOLARSHIPS AND STATE AID

ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.

§18C-3-4. Nursing Scholarship Program; Nursing Scholarship and Workforce Fund; administration, scholarship awards; service requirements.

1 (a) There is continued in the State Treasury a special revolving fund account known as
2 the "Nursing Scholarship and Workforce Fund" to be administered by the commission to
3 implement the provisions of this section and §18B-16-6 of this code. Any moneys in the account
4 on the effective date of this section are continued under the commission's administrative authority.
5 Balances remaining in the fund at the end of the fiscal year do not expire or revert to the general
6 revenue. All costs associated with the administration of this section and §18B-16-6 of this code
7 shall be paid from the Nursing Scholarship and Workforce Fund under the direction of the
8 chancellor or his or her designee. Administrative costs are to be minimized and the maximum
9 amount feasible is to be used to fund awards for students in nursing programs.

10 (b) The account is funded from the following sources:

11 (1) All moneys currently on deposit in the account or which are due or become due for
12 deposit into the account as obligations made under the previous enactment of this section;

13 (2) Repayments, including interest as set by the chancellor or his or her designee,
14 collected from recipients who fail to practice or teach in West Virginia under the terms of the
15 scholarship agreement;

16 (3) Appropriation provided by the Legislature;

17 (4) Amounts provided by nursing or medical associations, hospitals, or other nursing or
18 medical provider organizations in this state, or by a political subdivision of the state under an
19 agreement that requires the recipient to practice nursing in this state or in the political subdivision
20 providing the funds for a predetermined period of time and in such capacity as set forth in the
21 agreement; and

22 (5) Any other funds from any source as may be added to the account.

23 (c) The commission shall administer a scholarship, designated the Nursing Scholarship
24 Program, designed to benefit nurses who practice in hospitals and other health care institutions
25 in West Virginia or teach in state nursing programs.

26 (1) Awards are available for students enrolled in accredited nursing programs in West
27 Virginia. A recipient shall execute an agreement to fulfill a service requirement or repay the
28 amount of any award received.

29 (2) Awards are made as follows, subject to the rule required by this section:

30 (A) An award for any student may not exceed the full cost of education for program
31 completion.

32 (B) An award of up to \$3,000 is available for a student in a licensed practical nurse
33 education program. A recipient is required to practice nursing in West Virginia for one year
34 following program completion.

35 (C) An award of up to \$7,500 is available for a student in a registered nurse education
36 program: *Provided*, That students enrolled in pre-licensure programs must have completed half
37 of the required nursing credits for that program to be eligible for an award. A recipient is required
38 to teach or practice nursing in West Virginia for two years following program completion.

39 (D) An award of up to \$15,000 is available to a student in a nursing master's degree
40 program or a doctoral nursing or education program. A recipient is required to teach in West
41 Virginia for two years following program completion.

42 (E) An award of up to \$1,000 per year is available for a student obtaining a licensed
43 practical nurse teaching certificate. A recipient is required to teach in West Virginia for one year
44 per award received.

45 (d) An award recipient shall satisfy one of the following conditions:

46 (1) Fulfill the service requirement pursuant to this section and the legislative rule
47 authorized in subsection (e) below; or

48 (2) Repay the commission for the amount awarded, together with accrued interest as
49 stipulated in the service agreement.

50 (e) The commission shall promulgate a rule for legislative approval pursuant to §29A-3A-
51 1 *et seq.* of this code to implement and administer this section. The rule shall provide for the
52 following:

53 (1) Eligibility and selection criteria for program participation;

54 (2) Terms of a service agreement which a recipient shall execute as a condition of
55 receiving an award;

56 (3) Repayment provisions for a recipient who fails to fulfill the service requirement;

57 (4) Forgiveness options for death or disability of a recipient;

58 (5) An appeal process for students denied participation or ordered to repay awards; and

59 (6) Additional provisions as necessary to implement this section.

CHAPTER 30. PROFESSIONS AND OCCUPATIONS.

ARTICLE 7A. PRACTICAL NURSES.

§30-7A-7a. Supplemental fees to fund Center for Nursing; emergency rules.

1 [Repealed.]

ARTICLE 7B. CENTER FOR NURSING.

§30-7B-1. Definitions.

1 [Repealed.]

§30-7B-2. West Virginia Center for Nursing.

1 [Repealed.]

§30-7B-3. Center's powers and duties.

1 [Repealed.]

§30-7B-4. Board of directors.

1 [Repealed.]

§30-7B-5. Powers and duties of the board of directors.

1 [Repealed.]

§30-7B-6. Expense reimbursement.

1 [Repealed.]

§30-7B-7. Reports.

1 [Repealed.]

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect ninety days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2024.

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Governor