

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/3/05 S3/16/05

A Bill

SENATE BILL 578

5 By: Senator Horn
6
7

For An Act To Be Entitled

9 AN ACT TO PROTECT THE HEALTH OF ARKANSAS CITIZENS
10 IN RURAL COMMUNITIES; TO EXPAND THE OPPORTUNITIES
11 FOR NURSES TO RECEIVE GRADUATE EDUCATION THROUGH
12 THE STUDENT LOAN AND SCHOLARSHIP PROGRAM; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15 AN ACT TO EXPAND THE OPPORTUNITIES FOR
16 NURSES TO RECEIVE GRADUATE EDUCATION
17 THROUGH THE STUDENT LOAN AND SCHOLARSHIP
18 PROGRAM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 6-81-1201 is amended to read as follows:
25 6-81-1201. Definitions.

26 As used in this subchapter:

27 (1)(A) "Advanced practice nursing" means advanced nursing care
28 provided in one (1) of the following areas of practice:

29 (i) Family practice nursing;

30 (ii) Pediatric nursing;

31 (iii) Women's health nursing;

32 (iv) Nurse midwifery;

33 (v) Gerontology nursing;

34 (vi) Adult nursing;

35 (vii) Nurse anesthesia;

36 (viii) Nursing administration;



- 1 (ix) Psychiatric or mental health nursing;
- 2 (x) Acute care nursing;
- 3 (xi) Community or public health nursing; or
- 4 (xii) Nursing education.

5 (B)(i) "Advanced practice nursing" occurs in the context
 6 of practice by a registered nurse who has:

- 7 (a) Completed a master's or doctoral nursing
 8 education program; and
- 9 (b) Met the requirements:
 - 10 (1) For national certification; or
 - 11 (2) To teach in an Arkansas-accredited
 12 school of nursing.

13 (ii) "Advanced practice nursing" includes the roles
 14 of:

- 15 (a) Clinical nurse specialist;
- 16 (b) Nurse practitioner;
- 17 (c) Nurse administrator;
- 18 (d) Nurse educator;
- 19 (e) Nurse midwife; and
- 20 (f) Nurse anesthetist;

21 ~~(1) "Arkansas Department of Public Health" means any of~~
 22 ~~Arkansas' public health units;~~

23 (2) "Arkansas school of nursing" means any school or school's
 24 department of nursing located in Arkansas;

25 (3) "Board" means the Graduate Nurse Educator Loan and
 26 Scholarship Board;

27 ~~(1)~~(4) "Arkansas Department of Public Health" means any of
 28 Arkansas' public health units;

29 ~~(4)~~(5) "Master's or doctoral nursing education program" means
 30 Arkansas nursing education programs located in an Arkansas public or private
 31 institution of higher education that has a master's nursing program
 32 accredited by a recognized national nursing accreditation organization or a
 33 Doctor of Philosophy in nursing program accredited by the North Central
 34 Association of Colleges and Secondary Schools;

35 ~~(5)~~(6) "Nurse educator" means a student enrolled in an Arkansas
 36 master's nursing education program or doctoral nursing education program who

1 will prepare to teach nursing in an Arkansas school of nursing; and

2 ~~(6)(A) "Primary care nursing" means advanced nursing care~~
3 ~~provided in one (1) of the following areas of practice:~~

4 ~~(i) Family practice nursing;~~

5 ~~(ii) Pediatric nursing;~~

6 ~~(iii) Women's health nursing;~~

7 ~~(iv) Nurse midwifery;~~

8 ~~(v) Gerontology nursing; and~~

9 ~~(vi) Adult nursing.~~

10 ~~(B) Primary care nursing occurs in the context of the~~
11 ~~community and is characterized by long term, close relationships between the~~
12 ~~practitioner and patient in which the primary care provider treats common and~~
13 ~~episodic illness but refers more complex problems to specialists; and~~

14 (7) "Rural community" means a community within a health
15 professions shortage area, as determined by the board, or a community having
16 a population of no more than fifteen thousand (15,000) persons according to
17 the most recent federal census taken prior to the execution of the loan
18 contract or the most recent federal census taken prior to the time the
19 recipient of the loan or loans shall be required to practice full time in
20 such a ~~rural~~ community as provided in §§ 6-81-1204 and 6-81-1206 [repealed].

21
22 SECTION 2. Arkansas Code § 6-81-1202 is amended to read as follows:

23 6-81-1202. Graduate Nurse Educator Loan and Scholarship Board.

24 (a) There is established the Graduate Nurse Educator Loan and
25 Scholarship Board composed of:

26 (1) The dean, chair, or director of each of the accredited
27 *graduate nursing programs in the state that offers a nurse practitioner*
28 *specialist, specialty in primary care nurse midwife, nurse anesthesia, or*
29 *nursing administration graduate preparation or preparation for nurse*
30 *educators at the master's or doctoral levels;*

31 (2) The President of the Council of Nurse Administrators of
32 Nursing Education Programs in Arkansas;

33 (3) *The President of the Arkansas State Board of Nursing or the*
34 *president's designee;*

35 (4) The Director of the Department of Health or the director's
36 designee; and

1 (5) One (1) consumer, to be appointed by the Governor.

2 (b) The board shall:

3 (1) Promulgate reasonable rules and regulations as may be
4 necessary to execute the provisions of this subchapter, including regulations
5 addressing:

6 (A) The requirements for ~~a health professions shortage~~
7 area ensuring a pool of advanced practice nurses to serve the state with a
8 priority on health professions shortage areas;

9 (B) The requirements for an Arkansas school of nursing;

10 (C) The requirements for a community having a population
11 of no more than fifteen thousand (15,000) persons according to the most
12 recent census;

13 (D) The requirements of the Department of Health;

14 (E) The establishment of a minimum scholastic standing
15 which a baccalaureate or master's nursing graduate must have achieved and the
16 academic or scholastic standing a student must maintain in an accredited
17 school of nursing in this state as a condition of receiving scholarship funds
18 or financial aid under the provisions of § 6-81-1208 [repealed];

19 (F) The establishment of standards for a determination of
20 the financial needs of the applicant for scholarship funds or financial aid
21 under § 6-81-1208 [repealed], including the ability of the applicant or the
22 spouse or the parents or guardian of such applicant to furnish a part of the
23 funds necessary to pay the expenses of the applicant while attending a school
24 of nursing; and

25 (G) All matters relating directly to the agreement for
26 providing these scholarship funds or financial aid, including the terms and
27 conditions of providing financial aid to the student and relating to the
28 obligation of the recipient of financial aid to engage in the nursing
29 profession in a rural community or as a nurse educator in an Arkansas school
30 of nursing;

31 (2) Prescribe forms for and regulate the submission of
32 applications for financial assistance;

33 (3) Determine eligibility of applicants;

34 (4) Allow or disallow applications for financial assistance;

35 (5) Contract, increase, decrease, terminate, and otherwise
36 regulate all grants for this purpose and receipt for their repayment and

1 convert loans to scholarships;

2 (6) Manage, operate, and control all funds and property
3 appropriated or otherwise contributed for this purpose;

4 (7) Accept gifts, grants, and bequests or devises and apply them
5 as a part of this program;

6 (8) Sue and be sued as the board; and

7 (9) Accept moneys from federal programs which may be used for
8 furtherance of the purposes of this subchapter.

9 (c) The members of the board may receive expense reimbursement in
10 accordance with § 25-16-901 et seq.

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12 SECTION 3. Arkansas Code § 6-81-1203(a), concerning granting of loans
13 for graduate nurse studies, is amended to read as follows:

14 (a) The Graduate Nurse Educator Loan and Scholarship Board may make
15 ~~rural advanced practice nursing practice~~ or nurse educator loans to an
16 applicant, each ~~rural advanced practice nursing practice~~ or nurse educator
17 loan being expressly made subject to the provisions of § 6-81-1204 if it
18 finds that:

19 (1) The applicant is a bona fide resident of Arkansas;

20 (2) The applicant has been accepted for admission to or is
21 enrolled in good standing in an accredited master's ~~nurse educator, master's~~
22 ~~nurse practitioner, nursing program~~ or Doctor of Philosophy in Nursing
23 program in the state leading to a graduate degree in nursing;

24 (3) The applicant is or will be a full-time ~~graduate nursing~~
25 ~~student~~ or a part-time graduate student ~~who is employed full time in an~~
26 ~~Arkansas school of nursing;~~

27 (4) The applicant needs financial assistance to complete his or
28 her nursing studies;

29 (5) *The applicant desires to practice ~~primary care~~ advanced*
30 *practice nursing in a rural an Arkansas community or teach nursing in an*
31 *Arkansas school of nursing; and*

32 (6) The applicant is a person of good moral character and one
33 who has the talent and capacity to profit by graduate nursing studies.

34

35 SECTION 4. Arkansas Code § 6-81-1204(c), concerning advanced nursing
36 practice or nurse educator loan contracts, is amended to read as follows:

1 (c) Each applicant to whom a ~~rural advanced~~ practice nursing ~~practice~~
2 or nurse educator loan or loans is granted by the board shall execute a
3 written loan contract which shall incorporate the following obligations and
4 conditions:

5 (1)(A)(i) The recipient of a rural ~~advanced~~ practice nursing
6 ~~practice~~ or nurse educator loan or loans shall bindingly contract that, upon
7 completion of his or her graduate degree in nursing and upon national
8 certification as a nurse practitioner, nurse anesthetist, nurse midwife,
9 clinical nurse specialist, or nursing supervisor in the case of recipients of
10 ~~a rural advanced practice nursing practice~~
11 ~~loan loans~~, he or she shall practice as an advanced ~~practitioner~~ practice
12 nurse full time in an Arkansas rural community or the Department of Health.

13 (ii) In the case of the nurse educator recipient, he
14 or she shall teach full time during the academic year in an Arkansas school
15 of nursing.

16 (B) For each continuous whole calendar year of advanced
17 ~~primary care practice~~ nursing ~~practice~~ or academic calendar year for teaching
18 in accordance with subdivision (c)(1)(A) of this section, the board shall
19 cancel, by converting to a scholarship grant, the full amount of one (1)
20 year's loan, plus accrued interest; and

21 (2)(A) In the event that any rural ~~advanced~~ practice nursing
22 ~~practice~~ or nurse educator loan recipient under this subchapter does not
23 engage in the *practice of advanced practice nursing* or teach in an Arkansas
24 school of nursing in accordance with the terms of this section and of his or
25 her loan contract in order to have the loan contract recognized as a
26 scholarship, the recipient shall remain obligated to repay the loan or loans
27 received together with interest thereon at the maximum rate allowed by
28 Arkansas law or the federal discount rate plus five percent (5%) per annum,
29 whichever is the lesser, the interest to accrue from the date each payment of
30 funds was received by the recipient.

31 (B) No interest shall accrue nor obligation to repay the
32 principal sums accrued during any one (1) period of time that the recipient
33 involuntarily serves on active duty in the United States armed forces.

34 (C) Repayment of principal with interest shall be due and
35 payable in full at the earliest to occur of the following events:

36 (i) Failure to remain enrolled continuously and in

1 good academic standing to completion of a graduate nursing degree for any
2 reason other than temporary personal illness;

3 *(ii)(a) Failure to*
4 *practice as an advanced ~~nurse practitioner~~ practice nurse on a regularly*
5 *sustained basis while residing in an Arkansas ~~rural~~ community or working in*
6 *an Arkansas a Department of Public Health unit, as defined in § 6-81-1201, or*
7 *to serve as a nursing faculty in an Arkansas school of nursing.*

8 *(b) ~~Provided, however, that~~ However, the board*
9 *may waive the residency requirement on a case-by-case basis; or*

10 *(iii) Failure to establish a primary care nursing*
11 *practice within six (6) months following graduation from an accredited*
12 *graduate nursing program or within six (6) months after receiving national*
13 *certification, whichever is later, or failure to assume a nurse faculty*
14 *position in an Arkansas school of nursing within six (6) months following*
15 *graduation, unless otherwise deferred by approval of the board.*

16 *(D) In the event of the death of the recipient, all loans*
17 *unpaid shall be due and payable.*

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