

**TITLE 540. PHYSICIAN MANPOWER TRAINING COMMISSION
CHAPTER 30. OKLAHOMA NURSING STUDENT ASSISTANCE PROGRAM**

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 1. General Provisions

540:30-1-2 [AMENDED]

Subchapter 3. Role of Nursing Scholarship Advisory Committee

540:30-3-1 [AMENDED]

Subchapter 5. Categories of Scholarships

540:30-5-1 [AMENDED]

540:30-5-2 [AMENDED]

Subchapter 7. Eligibility

540:30-7-1 [AMENDED]

540:30-7-2 [AMENDED]

540:30-7-4 [AMENDED]

Subchapter 9. Application Process

540:30-9-1 [AMENDED]

Subchapter 11. Loan Provisions

540:30-11-1 [AMENDED]

540:30-11-2 [AMENDED]

540:30-11-3 [AMENDED]

540:30-11-5 [AMENDED]

540:30-11-6 [AMENDED]

Subchapter 15. General Administrative Policies

540:30-15-1 [AMENDED]

Subchapter 17. Service Obligation

540:30-17-2 [AMENDED]

AUTHORITY:

Physician Manpower Training Commission; 70 O.S., § 697.17

COMMENT PERIOD:

April 15, 2020 through May 15, 2020

PUBLIC HEARING:

May 18, 2020

ADOPTION:

May 18, 2020

EFFECTIVE:

Immediately upon Governor's approval

EXPIRATION:

Effective through September 1, 2021 unless superseded by another rules or disapproved by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The Board of Commissioners of the Physician Manpower Training Commission, has adopted the proposed change to Oklahoma Nursing Student Assistance Program. This rule change also changes the yearly payout for **nurses** over the four year maximum participation period.

The proposed changes would expand to higher nursing degree programs, expand eligible facilities to fulfill obligations and increase the amount of awards for the Oklahoma Nursing Student Assistance Program to be consistent with other PMTC programs and meet the current nursing needs across all of rural Oklahoma. This proposed change is an effort to place rural Oklahoma in a more competitive recruiting position against neighboring states. This change results in the same overall budgeted amount for the Oklahoma Nursing Student Assistance Program.

These changes also provide revision to change restrictive phrases in the rules according to Executive Order 2020-03.

GIST/ANALYSIS:

The Board of Commissioners of the Physician Manpower Training Commission, has adopted the proposed changes for the Oklahoma Nursing Student Assistance Program.

The proposed changes would expand to higher nursing degree programs, expand eligible facilities to fulfill obligations and increase the amount of awards for the Oklahoma Nursing Student Assistance Program to be consistent with other PMTC programs and meet the current nursing needs across all of rural Oklahoma. This change has no fiscal impact to the agency.

The proposed changes are in an effort to align PMTC programs providing consistent practices in providing greater assistance in recruiting nurses across rural Oklahoma.

CONTACT PERSON:

Michelle Cecil, Nursing Programs Director, (405) 604-0020, Michelle.Cecil@pmtc.ok.gov, Janie Thompson, Executive Director, (405) 604-0020, Janie.Thompson@pmtc.ok.gov or for legal questions: Joe Ashbaker, Assistant Attorney General, (405) 522-2974, Joe.Ashbaker@oag.ok.gov.

PURSUANT TO THE ACTIONS DESCRIBED HERE IN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F)

SUBCHAPTER 1. GENERAL PROVISIONS

540:30-1-2. Scope of program

Scholarship loans are available for study prerequisite to licensure as a Practical Nurse, Registered Nurse, or the awarding of a Master's Degree in Nursing or higher and for the upward mobility of LPN's and AD and Diploma RN's to Baccalaureate in Nursing. The Nurse Education Scholarship Program is a loan program, with repayment to be made through work service to the sponsor. Loan paybacks would be based on one year of service for each academic year in the program, with a minimum of one year service obligation. For students enrolled in the BSN program, funding is available for only the last two years of study. For students enrolled in the MSN-NP, MSN-EDU, DNP or Ph.D. programs, funding is available for two to five years.

SUBCHAPTER 3. ROLE OF NURSING SCHOLARSHIP ADVISORY COMMITTEE

540:30-3-1. Role of Nursing Scholarship Advisory Committee

- (a) A Nursing Scholarship Advisory Committee (NSAC) ~~shall~~ will assist and advise the Physician Manpower Training Commission relative to the Nursing Student Assistance Program.
- (b) Recipients will be selected by the Physician Manpower Training Commission assisted by recommendations of a twelve member Nursing Scholarship Advisory Committee. The Nursing Scholarship Advisory Committee will be appointed by the Physician Manpower Training Commission and will consist of:
- (1) a Rural Hospital Nursing Service Administrator, representing the Oklahoma Organization of Nurse Executives,
 - (2) an Urban Hospital Nursing Service Administrator, representing the Oklahoma Organization of Nurse Executives,
 - (3) a representative of the Oklahoma Nursing Home Association,
 - (4) a representative of the Oklahoma Hospital Association,
 - (5) a representative of the Oklahoma League for Nursing,
 - (6) a representative of the Oklahoma State Association of Licensed Practical Nurses,
 - (7) three Educators (a representative of the Oklahoma Directors of Practical Nursing Education; a representative of the Associate Degree Nursing Director's Council, and a representative of the Baccalaureate and Higher Degree Nursing Programs),
 - (8) a lay community representative, and
 - (9) a representative from the Physician Manpower Training Commission.
- (c) The role of the Nursing Scholarship Advisory Committee will be delineated by the Physician Manpower Training Commission.

SUBCHAPTER 5. CATEGORIES OF SCHOLARSHIPS

540:30-5-1. Matching Nursing Student Assistance Program

- (a) Scholarships granted under the Matching Nursing Student Assistance Program ~~shall~~ will stipulate that a sponsor and the Physician Manpower Training Commission provide equal dollar amounts for funding the scholarships. The maximum amounts that can be matched are \$750.00 per full-time semester for LPN program, \$1,250 per full-time semester for an ADN program, \$1,750.00 per full-time semester for the BSN program, and \$2,500.00 per full-time semester (up to 4 years) for MSN/DNP/Ph.D. program.
- (b) Sponsors of nurse students may be hospitals, nursing homes, home health and hospice agencies, other health care delivery facilities, public agencies, corporations, private organizations, communities, foundations, trusts, or other entities who wish to apply for and, if approved, match an amount equal to fifty percent of the loan authorized by the Commission.
- (c) Under the provisions of the Matching Nursing Student Assistance Program, a student may receive ~~a minimum total matching scholarship of \$1,000 – (\$500/\$500), up to a maximum total matching scholarship of \$5,000 – (\$2,500/\$2,500)~~ an equal full scholarship amount from both the sponsor and the Physician Manpower Training Commission. The monies are to be used for payment of tuition, required fees, equipment, uniforms, training materials, books, certification exams, and other educationally related expenses necessary for attendance at nursing school.
- (d) An approximate guideline of seventy percent of all monies appropriated for the Physician Manpower Training Commission Nursing Student Assistance Program may be used for funding scholarships approved under the Matching Nursing Student Assistance Program. Approximately seventy percent of all funds designated for the Matching Nursing Student Assistance Program may be expended for nursing scholarships in Oklahoma communities ~~with a population under 20,000~~

that meets the current definition of rural as determined by PMTC. ~~A mix of 25% urban/70% rural should serve as a proportionate split of funds if possible.~~

(e) Scholarship recipients may carry out their service obligation by practicing full time as a licensed practical or registered nurse (excluding physician's offices, private duty practice, research or non-patient based facilities, ~~federally-funded program or facility~~, industrial and summer camp nursing) as agreed to by contract or with Commission approval.

(f) Scholarship recipients may carry out their service obligation by teaching in an accredited/approved Oklahoma nursing school (provided other Oklahoma Board of Nursing faculty qualifications are met).

(g) Scholarship recipients who become nurse practitioners may carry out their service obligation by practicing full time as a nurse practitioner at any ~~non-federal Oklahoma~~ hospital, nursing home, state health facility, qualified rural health clinic, or ~~non-federal~~ hospital, private owned, or leased rural physician clinic.

(h) Receipts received from sponsors shall be deposited into and disbursed from a Commission revolving fund created by State Law in the State Treasury.

540:30-5-2. Non-Matching Nursing Student Assistance Program

(a) State funds appropriated to the Nursing Student Assistance Program shall be used to grant scholarships under the Non-Matching Student Assistance Program. The maximum amounts that can be awarded are \$750.00 per full-time semester for LPN program, \$1,250 per full-time semester for an ADN program, \$1,750.00 per full-time semester for the BSN program, and \$2,500.00 per full-time semester (up to 4 years) for MSN/DNP/Ph.D. program.

(b) Scholarship recipients may carry out their service obligation by practicing full time as a licensed practical or registered nurse (excluding physician's offices, private duty practice, research or non-patient based facilities, ~~federally-funded program or facility~~, industrial and summer camp nursing) as agreed to by contract or with Commission approval.

(c) Scholarship recipients may carry out their service obligation by teaching in an accredited/approved Oklahoma nursing school (provided other Oklahoma Board of Nursing faculty qualifications are met).

(d) Scholarship recipients who become nurse practitioners may carry out their service obligation by practicing full time as a nurse practitioner at any ~~non-federal Oklahoma~~ hospital, nursing home, state health facility, qualified rural health clinic, or ~~non-federal~~ hospital, private owned or leased rural physician clinic.

~~(e) Under the provisions of the Non-Matching Nursing Student Assistance Program, the student can receive a scholarship loan in the amount of \$2,500 for a given academic year, these monies to be paid for payment of tuition, required fees, training materials, books, and other educationally related expenses necessary for attendance at nursing school.~~

(e) In awarding grants for the Non-Matching Nursing Student Assistance Program, seventy percent of the designated monies may be earmarked for scholarship recipients who are deemed likely to return to a rural community to practice nursing.

SUBCHAPTER 7. ELIGIBILITY

540:30-7-1. Domicile

(a) For the purpose of obtaining a scholarship loan in accordance with the provisions of the Nursing Student Assistance Program, a person ~~must~~ is required to have maintained domicile in the

State of Oklahoma for at least twelve months immediately prior to a request for residency status and must be a citizen of the United States.

(b) In order to be eligible for classification as a legal resident under this program, an individual must establish physical presence in the State during such twelve month period not for the purposes of mere temporary residency incidental to enrollment in an educational program, or for application for a loan under this program.

(c) In some cases, it may be necessary to conduct an inquiry into the question of domiciliary intent. If so, an applicant may be requested to provide an appropriate application for analysis on forms to be made available by the Commission.

(d) A student ~~must~~ is required to qualify for payment of in-state tuition and fees when attending a state supported school.

540:30-7-2. Acceptance in a course of study

(a) ~~An applicant~~ Qualifying applicants will have ~~must have~~ been unconditionally admitted as a student in an Oklahoma accredited/approved program of nursing study. Each applicant ~~must~~ will submit certification of acceptance and/or of being a student in good standing, academically and otherwise, by the Dean or Director of the nursing school he or she attends or plans to attend. This ~~must~~ certification is to be submitted as a part of the application process. Enrollment in basic courses prerequisite to and/or leading to a nursing program does not qualify an applicant.

(b) Part time nursing students may be considered on an individual basis as a qualified applicant. Evidence of progression within a nursing program ~~must~~ is to be shown provided each semester.

(c) If already attending school, a student ~~must have been unconditionally promoted~~ is to submit documentation of unconditional promotion to the succeeding class with the exception of a part-time student who ~~must show~~ submits evidence of progression.

540:30-7-4. Criteria for selection of recipients

The following criteria shall be used for the selection of recipients of nursing scholarship loans:

(1) Academic capability. Must maintain a 3.0 overall GPA.

(2) Motivation to practice in a critical shortage area as defined by the Commission (with emphasis on rural practice).

(3) Agreement to work in an institution, community or agency matching funding with the Commission (if appropriate).

(4) Financial need – only if the number of applicants exceed the availability of funds.

SUBCHAPTER 9. APPLICATION PROCESS

540:30-9-1. Interview; application

(a) **Interview.** An interview with a representative of the Commission ~~is~~ may be required before an application is approved for a ~~matching~~ scholarship recipient.

(b) **Application form.** ~~An application form is provided with the confirmation of an interview.~~
The application form consists of:

(1) General information.

(2) Statement regarding financial needs.

(3) Statement of professional goals.

(c) **Supporting information.** The following supporting application information may be required:

- (1) Certification of unconditional acceptance or promotion, whichever is applicable for the application.
 - (2) A letter certifying unconditional acceptance and/or being a student in good standing by nursing school director.
 - (3) A letter or transcript showing high school GPA or GED score for LPN students;
 - (4) A letter or transcript showing ACT score, college and/or high school GPA for ADN, BSN, or MSN students;
 - (5) Current Federal Income Tax form 1040, 1040A, or 1040EZ or proper certification if it is not necessary to file Federal Income Tax form. Dependent applicants must provide parent's income tax form in addition to their own form.
- (d) **Date due.** The application form and supporting information ~~must be received by~~ will not be accepted after the applicable due date set by the Commission.

SUBCHAPTER 11. LOAN PROVISIONS

540:30-11-1. Repayment of discontinued loans

If a loan recipient for whatever reason becomes ineligible to continue participation in the program and repayment is required, then cash repayment (principal ~~and interest~~) is due within 90 days of the date of the Commission's written notification of ineligibility to the recipient.

540:30-11-2. Penalty for breach of contract

In the event that a loan recipient breaches the terms of the contract, he/she may be assessed liquidated damages which represent a reasonable estimate of the damage or loss of the State and/or the sponsor (if applicable). Said damages ~~shall~~ are not to exceed 100% of the principal.

540:30-11-3. Security for the loan

- (a) Each loan ~~must~~ will be secured by a contract signed by the recipient and spouse if applicable.
- (b) Each loan ~~must~~ will be secured by a contract signed by the recipient and a parent if the recipient is under 23 years of age and an unemancipated minor.
- (c) If a recipient shows little or no income, each loan ~~must~~ will be secured by a contract signed by the recipient and the person providing support for the recipient.

540:30-11-5. Rate of interest Fees

The rate of interest on a nursing scholarship loan will be 12% per annum. The yearly fee of 5% on the unpaid balance of the principal for each year with a minimum of \$50.00 for administrative finance costs. It will be due July 1st of each year that the loan is being serviced.

540:30-11-6. Suit for collection; attorney's fees and collection costs

If it becomes necessary for the Attorney General, on behalf of the State and Commission, to file suit for collection of a loan for notes, the makers of the note ~~shall~~ will be responsible for attorney's fees and other costs or charges necessary for the collection of the balance due on the loan. Any collection under this Section will be deposited in the Revolving Fund. That portion

representing a contribution(s) by a sponsor may be returned to the sponsor, placed to the sponsor's credit or retained by the Physician Manpower Training Commission as is appropriate.

SUBCHAPTER 15. GENERAL ADMINISTRATIVE POLICIES

540:30-15-1. Installments to recipients

- (a) The Commission will pay the loan proceeds in monthly installments or in a lump sum if the NSAC so recommends.
- (b) Where applicable, the installments will be paid upon certification by an Officer of the school of satisfactory performance and transcript verifying GPA requirement and proof of enrollment for the following semester or registration for the NCLEX by the scholarship recipient at the end of each semester.

SUBCHAPTER 17. SERVICE OBLIGATION

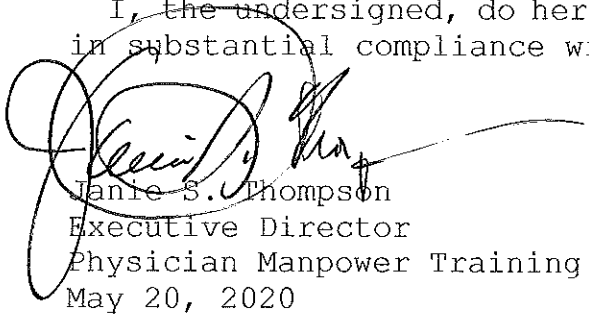
540:30-17-2. Licensure examinations

- (a) Following the completion of required coursework, licensure examinations ~~must be written~~ will be completed as soon as possible after notification of eligibility;
- (b) If the recipient fails to pass the first two successive licensure examinations offered following the completion of required coursework, the recipient's note(s) become due and payable.

ATTESTATION

I, the undersigned, do hereby attest that the copy enclosed herewith is a true and correct copy of amendments to Chapter 30 Oklahoma Nursing Student Assistance Program, which were adopted by the Physician Manpower Training Commission on May 18, 2020, under emergency rulemaking provisions of the Administrative Procedures Act, 75 O.S., Sections 250 et seq.

I, the undersigned, do hereby attest that such rules were adopted in substantial compliance with the Administrative Procedures Act.

A handwritten signature in black ink, appearing to read "Janie S. Thompson", is written over the typed name and extends to the right with a long horizontal stroke.

Janie S. Thompson
Executive Director
Physician Manpower Training Commission
May 20, 2020