

By Mr. Larkin of Pittsfield, petition of Peter J. Larkin and other members of the General Court relative to establishing the Clara Barton nursing loan repayment program within the board of higher education. Education, Arts and Humanities.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT ESTABLISHING THE CLARA BARTON NURSING EXCELLENCE PROGRAMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 15A of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by inserting after
3 section 19E, the following sections:—

4 Section 19F. The board of higher education is authorized and
5 directed to establish a student loan repayment program, to be
6 known as the Clara Barton Nursing Loan Repayment Program, for
7 the purpose of encouraging outstanding students to work in the
8 profession of nursing or to teach nursing within the common-
9 wealth by providing financial assistance for the repayment of
10 qualified education loans, as defined herein. The board shall adopt
11 guidelines governing the implementation of the program, which
12 shall include, but need not be limited to, the following:

13 (1) eligibility for the program shall be limited to persons who
14 have graduated in the top twenty-five percent of their practical or
15 diploma nursing program, undergraduate, or graduate class, as
16 certified by the college, university, or school of nursing attended
17 by such applicant;

18 (2) eligibility shall be limited to persons licensed to practice
19 nursing in the commonwealth and entering the nursing profession
20 after September first, two thousand one, or to persons entering the
21 teaching of nursing profession at a college, university, or school
22 of nursing within the commonwealth after such date;

23 (3) the commonwealth shall repay a participants' student loan
24 at a rate not to exceed two hundred dollars per month for a period
25 not to exceed forty-eight months. Participants who work less than
26 full time shall receive loan repayment amounts in direct propor-
27 tion to the percentage of full time worked;

28 (4) repayment shall be made to the participant annually upon
29 the presentation by the participant of satisfactory evidence of pay-
30 ments under the loan;

31 (5) payments by the commonwealth shall cover only loan pay-
32 ments made by the participants in the months during which the
33 participant is employed as a nurse in, but not limited to, acute care
34 hospitals, public health hospitals, psychiatric and mental health
35 clinics or hospitals, community or neighborhood health centers,
36 rehabilitation centers, nursing homes, or as a home health, school
37 or public health nurse in the commonwealth, or is employed to
38 teach nursing at a college, university, or school of nursing in the
39 commonwealth. Payments by the commonwealth shall not com-
40 mence until participants have been employed as nurses in the
41 commonwealth, or teachers of nursing at a college, university, or
42 school of nursing in the commonwealth, for a period of one year.
43 Participants must be employed as nurses in the commonwealth, or
44 as teachers of nursing at a college, university or school of nursing
45 in the commonwealth, for a minimum period of four years during
46 the loan repayment period, or reimburse the commonwealth for
47 the expense incurred during the repayment period;

48 (6) in the case of those employed as nurses, the board may limit
49 the program to those who work in communities designated by the
50 department of public health, in consultation with the federal
51 department of health and human services and the center for health
52 professions at Worcester State College, as underserved communi-
53 ties;

54 (7) the program shall set forth an affirmative action policy and
55 specific annual affirmative action goals. The board shall annually
56 publish a report detailing its efforts to publicize the loan repay-
57 ment program in order to advance the goals of this affirmative
58 action policy and its success in meeting those goals.

59 The term "qualified education loan" shall mean any indebted-
60 ness including interest on such indebtedness incurred to pay
61 tuition or other direct expenses incurred in connection with the

62 pursuit of a practical or diploma nursing program, an associate's,
63 baccalaureate, or graduate degree by an applicant, but shall be
64 limited to any loan which was or is administered by the financial
65 aid office of a practical or diploma nursing program, two year or
66 four year college, university, or school of nursing at which the
67 applicant was enrolled as a practical or diploma nursing school
68 student, or as an undergraduate or graduate student, and which
69 loan has been secured through a state or federal student loan pro-
70 gram, or which was or is administered by a commercial or institu-
71 tional lender.

72 Section 19G. The board of higher education is authorized and
73 directed to establish an expert nursing corps program, to be
74 known as the Clara Barton Expert Nursing Corps Program, for the
75 purpose of building a group of recognized nurses of high achieve-
76 ment in the profession who shall serve to mentor incoming or
77 novice nurses and to further the goals of the nursing profession.
78 The board shall adopt guidelines governing the implementation of
79 the program. Such guidelines shall include, but need not be lim-
80 ited to, the following provisions:

81 (1) the board may select expert nurses who achieve such status
82 by obtaining specialty, modular, or advanced practice certification
83 from the American Nurses Credentialing Center, who remain in
84 good standing with the board of registration in nursing, who are
85 current on their continuing education units, and who agree to
86 mentor incoming or novice nurses. The board may develop and
87 include alternatives to such American Nurses Credentialing
88 Center program provided such alternatives maintain equivalent or
89 higher standards of excellence in the practice of nursing;

90 (2) the board may provide expert nurses with partial or full
91 reimbursement for the assessment costs of said American Nurses
92 Credentialing Center certification. The board shall provide expert
93 nurses with ongoing salary bonuses. Such ongoing salary bonuses
94 shall be limited to \$5,000 per year not to exceed ten years; pro-
95 vided, that such expert nurses continue to remain in good standing
96 with the board of registration in nursing and employed in nursing
97 in the commonwealth, and continue to mentor incoming or novice
98 nurses. The board may authorize a nominal payment, in addition
99 to the bonus to the expert nurse, to the health care facility, school
100 district, local health agency, home health agency, or nursing home

101 in Massachusetts of such expert nurse to facilitate time for the
102 expert nurse to engage in mentoring activity; provided further,
103 that said health care facility, school district, local health agency,
104 home health agency, or nursing home in Massachusetts shall con-
105 tinue the expert nurse's salary at a level irrespective of the expert
106 nurse's salary bonus;

107 (3) the board shall set forth an outreach plan to attract under-
108 represented populations and nurse specialists in the nursing pro-
109 fession in areas which are designated by the department of public
110 health, in consultation with the federal department of health and
111 human services and the center for health profession at Worcester
112 State College, as underserved communities.

113 Section 19H. The board of higher education shall make avail-
114 able grants to institutions of higher education and health care
115 institutions in the commonwealth for the purpose of fostering
116 partnerships between higher education institutions and clinical
117 agencies that promote the recruitment and retention of nurses.
118 Such grants may also be made available to such institutions for
119 the purpose of establishing and maintaining nurse mentoring or
120 nursing internship programs. The board shall adopt guidelines
121 governing the implementation of this section.

122 Section 15I. The board of higher education is authorized and
123 directed to establish a scholarship program, to be known as the
124 Clara Barton Scholarship Program, to provide students in
125 approved Massachusetts' colleges, universities and schools of
126 nursing with scholarships for tuition and fees for the purpose of
127 encouraging outstanding Massachusetts' students to work as
128 nurses in, but not limited to, acute care hospitals, psychiatric and
129 mental health clinics or hospitals, community or neighborhood
130 health centers, rehabilitation centers, nursing homes, or as a home
131 health, school or public health nurse in the commonwealth, or to
132 teach nursing in colleges, universities, or schools of nursing in the
133 commonwealth. The board shall adopt guidelines governing the
134 implementation of the program.

135 Colleges, universities, and schools of nursing in the common-
136 wealth may administer the Clara Barton Scholarship Program and
137 select recipients, in accordance with guidelines adopted by the
138 board. Scholarships may be made available to full or part time
139 matriculating students in courses of study leading to a degree in

140 nursing or the teaching of nursing. Recipients shall be residents of
141 the commonwealth and outstanding prospects based on objective
142 measures such as leadership skills, clinical knowledge, class rank,
143 test scores, grade point average, income need and such other cri-
144 teria as the board may determine. In any given year, the board
145 may target awards to students from geographic and nurse specialty
146 areas in the commonwealth determined by the department of
147 public health, in consultation with the federal department of
148 health and human services, and the center for health professions at
149 Worcester State College, to be areas experiencing an acute
150 shortage of nurses. Scholarship recipients at any public or private
151 institution of higher education in the commonwealth shall receive
152 no more than a \$3,500 scholarship for each academic semester
153 that the recipient remains enrolled at such institution and remains
154 in good standing. The names of recipients of such scholarships
155 shall remain confidential, unless the recipient waives such confi-
156 dentiality in writing.

157 The board may also provide a scholarship recipient with a
158 housing voucher, in such form and manner as the board may
159 determine, which shall be equal to not more than two hundred dol-
160 lars per month, that may be utilized by the recipient to assist in
161 paying housing costs, including rent or mortgage payments, while
162 such recipient is enrolled in good standing in the college, univer-
163 sity, school of nursing.

164 The board, in coordination with the board of education and
165 Massachusetts' colleges, universities and schools of nursing, shall
166 aggressively market the existence of the program to high school
167 students and to non-traditional students to encourage outstanding
168 candidates to apply to nursing or the teaching of nursing programs
169 in institutions of higher education in the commonwealth. Such
170 marketing shall focus on candidates who would otherwise not
171 consider a career in nursing or the teaching of nursing. The board
172 shall set forth an outreach plan to attract underrepresented popula-
173 tions to the nursing profession.

174 Recipients must be employed as a nurse in the commonwealth,
175 or teacher of nursing at a college, university, or school of nursing
176 in the commonwealth, for a minimum period of two years
177 following graduation. Recipients who participate in the program
178 but do not complete their college education within seven years of

179 entering college, or who fail to complete their two year nursing
180 commitment within seven years following graduation from col-
181 lege, or whose license to practice in Massachusetts is not main-
182 tained in good standing, or those who fail to complete their two
183 year teaching commitment within seven years following gradu-
184 ation from college or from a graduate school, if such is required for
185 teaching nursing at a college, university or school of nursing, shall
186 be obligated to repay the commonwealth any tuition, fees, and
187 housing voucher payments advanced to them, with interest set by
188 the board.

1 SECTION 2. Chapter 10 of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended by adding the
3 following section:—

4 Section 64. There shall be established and set up on the books
5 of the commonwealth a separate fund, to be known as the Clara
6 Barton Nursing Excellence Trust Fund. Said fund shall consist of
7 all revenues from public and private sources as appropriations,
8 gifts, grants, donations, and from the federal government as reim-
9 bursements, grants-in-aid or other receipts to further the purposes
10 of said fund in accordance with the provisions of sections 19F
11 through 19I, inclusive, of chapter 15A, and any interest or invest-
12 ment earnings on such revenues. All revenues credited to said
13 fund under this section shall remain in said fund and shall be
14 expended, without further appropriation, for applications pursuant
15 to sections 19F through 19I, inclusive, of chapter 15A. The state
16 treasurer shall deposit and invest monies in said fund in accor-
17 dance with the provisions of sections 34, 34A and 38 of
18 chapter 29 in such a manner as to secure the highest rate of return
19 consistent with the safety of the fund. Said fund shall be expended
20 only for the purposes stated in said sections 19F through 19I,
21 inclusive, of said chapter 15A, at the direction of the chancellor of
22 the system of public higher education, hereinafter referred to as
23 the chancellor. On February 1 of each year, the state treasurer
24 shall notify the chancellor of any projected interest and invest-
25 ment earnings available for expenditure from said fund for each
26 fiscal year.

1 SECTION 3. Notwithstanding the provisions of any general or
2 special law to the contrary, any state or community college, or the
3 University of Massachusetts may enter into employment contracts
4 for a minimum period of five years with faculty members who
5 teach nursing at such institutions, unless both parties agree to a
6 shorter term of employment.

1 SECTION 4. The board of higher education shall establish an
2 advisory committee consisting of seven members whose member-
3 ship shall be comprised of professionals representing the nursing
4 profession. At least one half of the membership of the committee
5 shall be nursing educators from higher education institutions and
6 the remaining members shall be nurses in practice. The advisory
7 committee shall advise the board as to the practice of nursing and
8 how to implement the provisions of this act in a manner that
9 would best benefit the profession of nursing and fulfill the goals
10 of recruiting and retaining people to the profession of nursing.

