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2015-2016 Regular Sessions

I N A S S E M B L Y

January 7, 2015

Introduced by M. of A. GUNTHER, STECK, COOK, GRAF, RAIA, McDONOUGH,
CROUCH, MONTESANO -- Multi-Sponsored by -- M. of A. CERETTO, COLTON,
DUPREY, MOYA, PERRY -- read once and referred to the Committee on
Health

AN ACT to amend the public health law, in relation to establishing the
nurse loan repayment program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 2807-m of the public health law is amended by
2 adding a new subdivision 5-c to read as follows:
3 5-C. REGISTERED NURSE LOAN REPAYMENT PROGRAM. (A) BEGINNING JANUARY
4 FIRST, TWO THOUSAND SIXTEEN, THE COMMISSIONER IS AUTHORIZED, WITHIN
5 AMOUNTS AVAILABLE PURSUANT TO SUBDIVISION FIVE-A OF THIS SECTION, TO
6 MAKE LOAN REPAYMENT AWARDS:
7 (I) TO REGISTERED PROFESSIONAL NURSES OR OTHER LICENSED PRACTICAL
8 NURSES SPECIALITIES DETERMINED BY THE COMMISSIONER TO BE IN SHORT
9 SUPPLY, LICENSED TO PRACTICE NURSING PURSUANT TO ARTICLE ONE HUNDRED
10 THIRTY-NINE OF THE EDUCATION LAW, WHO AGREE TO PRACTICE FOR AT LEAST
11 FIVE YEARS IN AN UNDERSERVED AREA OR NURSING HOME, AS DETERMINED BY THE
12 COMMISSIONER. SUCH REGISTERED PROFESSIONAL NURSE OR LICENSED PRACTICAL
13 NURSE SHALL BE ELIGIBLE FOR A LOAN REPAYMENT AWARD OF UP TO ONE HUNDRED
14 FIFTY THOUSAND DOLLARS OVER A FIVE YEAR PERIOD DISTRIBUTED AS FOLLOWS:
15 FIFTEEN PERCENT OF TOTAL LOAN DEBT NOT TO EXCEED TWENTY THOUSAND DOLLARS
16 FOR THE FIRST YEAR; FIFTEEN PERCENT OF TOTAL LOAN DEBT NOT TO EXCEED
17 TWENTY-FIVE THOUSAND DOLLARS FOR THE SECOND YEAR; TWENTY PERCENT OF
18 TOTAL LOAN DEBT NOT TO EXCEED THIRTY-FIVE THOUSAND DOLLARS FOR THE THIRD
19 YEAR; AND TWENTY-FIVE PERCENT OF TOTAL LOAN DEBT NOT TO EXCEED
20 THIRTY-FIVE THOUSAND DOLLARS PER YEAR FOR THE FOURTH AND FIFTH YEARS OF
21 PRACTICE IN SUCH AREA; AND
22 (II) TO GENERAL HOSPITALS AND OTHER HEALTH CARE PROVIDERS TO ADMINIS-
23 TER AS PART OF THEIR RECRUITMENT PACKAGES; PROVIDED THE LOAN REPAYMENT

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 AWARDS SHALL BE ADMINISTERED CONSISTENT WITH THE PROVISIONS OF THIS
2 SUBDIVISION.

3 (B) LOAN REPAYMENT AWARDS MADE TO A REGISTERED PROFESSIONAL NURSE OR
4 LICENSED PRACTICAL NURSE PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION
5 SHALL NOT EXCEED THE TOTAL QUALIFYING OUTSTANDING DEBT OF THE REGISTERED
6 PROFESSIONAL NURSE OR LICENSED PRACTICAL NURSE FROM STUDENT LOANS TO
7 COVER TUITION AND OTHER RELATED EDUCATIONAL EXPENSES, MADE BY OR GUARAN-
8 TEED BY THE FEDERAL OR STATE GOVERNMENT, OR MADE BY A LENDING OR EDUCA-
9 TIONAL INSTITUTION APPROVED UNDER TITLE IV OF THE FEDERAL HIGHER EDUCA-
10 TION ACT. LOAN REPAYMENT AWARDS SHALL BE USED SOLELY TO REPAY SUCH
11 OUTSTANDING DEBT.

12 (C) ANY RECIPIENT OF FUNDS PURSUANT TO THIS SUBDIVISION WHO PRACTICES
13 LESS THAN TWO YEARS IN AN UNDERSERVED AREA OR NURSING HOME, AS DETER-
14 MINED BY THE COMMISSIONER, SHALL REPAY ALL FUNDS PAID IN AMOUNTS TO BE
15 DETERMINED BY THE COMMISSIONER PURSUANT TO THIS SUBDIVISION, AND SHALL
16 NO LONGER BE ELIGIBLE FOR FUTURE PAYMENTS UNDER THIS SUBDIVISION. THE
17 RATE OF INTEREST APPLIED SHALL BE DETERMINED BY THE COMMISSIONER, BUT
18 WILL NOT BE LESS THAN THE RATE OF INTEREST SET BY THE COMMISSIONER OF
19 TAXATION AND FINANCE WITH RESPECT TO UNDERPAYMENTS OF PERSONAL INCOME
20 TAX PURSUANT TO SECTION SIX HUNDRED EIGHTY-FOUR OF THE TAX LAW.

21 (D) THE COMMISSIONER IS AUTHORIZED TO APPLY ANY FUNDS AVAILABLE FOR
22 PURPOSES OF PARAGRAPH (A) OF THIS SUBDIVISION FOR USE AS MATCHING FUNDS
23 FOR FEDERAL GRANTS FOR THE PURPOSE OF ASSISTING STATES IN OPERATING LOAN
24 REPAYMENT PROGRAMS PURSUANT TO SECTION THREE HUNDRED THIRTY-EIGHT I OF
25 THE PUBLIC HEALTH SERVICE ACT.

26 (E) THE COMMISSIONER MAY, IN HIS OR HER SOLE DISCRETION, POSTPONE,
27 CHANGE OR WAIVE THE SERVICE OBLIGATION SET FORTH IN SUBPARAGRAPH (I) OF
28 PARAGRAPH (A) OF THIS SUBDIVISION.

29 S 2. This act shall take effect immediately.