

1586

2009-2010 Regular Sessions

I N   S E N A T E

February 3, 2009

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Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the education law, in relation to establishing the Operating Room Nurses Opportunity Corps and making an appropriation therefor

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

1     Section 1. Legislative findings and intent. The legislature finds that  
2     many hospitals in the state are having difficulty obtaining qualified,  
3     competent administrators who are experienced in private patient care.  
4     Furthermore, the legislature finds that many operating room nurses, who  
5     are experienced, qualified, and able to oversee hospital administration,  
6     are oftentimes not afforded the opportunity to enter into the field of  
7     hospital administration and often lack the financial means to further  
8     their education.  
9     It is the intent of the legislature to establish incentives through an  
10    Operating Room Nurses Opportunity Corps to encourage institutions of  
11    higher education to develop or enhance curricula within their hospital  
12    and health services administration programs and to establish programs  
13    with local hospitals to promote effective hospital administration. It is  
14    the further intent of the legislature to encourage academically-qualified  
15    students who are members of groups which are historically underrepresented  
16    in hospital administration or who are economically disadvantaged to prepare  
17    for admission into the hospital and health services administration field  
18    through participation in the Operating Room Nurses Opportunity Corps. It is  
19    also the intent of the legislature to create a support system for members of  
20    the Operating Room Nurses Opportunity Corps during their academic career  
21    and during their early professional years as hospital administrators.  
22    S 2. The education law is amended by adding a new section 6453-a to  
23    read as follows:  
24

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

LBD07316-01-9

1 S 6453-A. OPERATING ROOM NURSES OPPORTUNITY CORPS. 1. THE COMMISSIONER  
2 SHALL AWARD GRANTS TO INSTITUTIONS OF HIGHER EDUCATION WHICH OFFER  
3 APPROVED PROGRAMS LEADING TO PERMANENT CERTIFICATION IN THE FIELD OF  
4 HOSPITAL AND HEALTH SERVICES ADMINISTRATION TO BE USED FOR THE PURPOSE  
5 OF ESTABLISHING AN OPERATING ROOM NURSES OPPORTUNITY CORPS (HEREINAFTER  
6 REFERRED TO AS THE "CORPS") WHICH SHALL PROVIDE HOSPITAL ADMINISTRATION  
7 TRAINING TO PERSONS WHO ARE OR HAVE BEEN EMPLOYED AS OPERATING ROOM  
8 NURSES.

9 2. GRANT APPLICATIONS SUBMITTED BY ELIGIBLE INSTITUTIONS SHALL INCLUDE  
10 A PLAN ESTABLISHING THE FOLLOWING:

11 A. THE METHODS TO BE USED IN RECRUITING AND SELECTING STUDENTS FOR  
12 PARTICIPATION IN THE CORPS;

13 B. THE PERSONAL, ACADEMIC, CAREER AND FINANCIAL AID COUNSELING AVAIL-  
14 ABLE TO PARTICIPATING STUDENTS;

15 C. AN AGREEMENT WITH ONE OR MORE NEARBY HOSPITALS TO PROVIDE INTERN-  
16 SHIPS AND CLINICAL EXPERIENCE FOR STUDENTS PARTICIPATING IN THE CORPS;

17 D. A CURRICULUM ADVISORY COMMITTEE COMPRISED OF REPRESENTATIVES OF THE  
18 INSTITUTION AND THE AFFILIATED HOSPITAL TO AID THE INSTITUTION IN DEVEL-  
19 OPING THE SPECIALIZED CURRICULUM;

20 E. THE INTERNSHIP AND CLINICAL EXPERIENCE TO BE PROVIDED TO ALL  
21 PARTICIPATING STUDENTS TO REINFORCE THE SPECIALIZED CURRICULUM OFFERED  
22 THROUGH THE CORPS;

23 F. THE RESOURCES REQUIRED TO CONDUCT THE PROPOSED CORPS PROGRAM,  
24 INCLUDING THE RESOURCES TO BE PROVIDED BY THE INSTITUTION IN SATISFAC-  
25 TION OF THE MATCHING REQUIREMENT; AND

26 G. THE METHODS TO BE USED IN ALLOCATING SUPPLEMENTAL FINANCIAL AID  
27 AMONG STUDENTS PARTICIPATING IN THE CORPS.

28 3. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS WITH  
29 RESPECT TO APPLICATIONS REQUIRED UNDER SUBDIVISION TWO OF THIS SECTION  
30 AND WITH RESPECT TO THE METHOD BY WHICH GRANTS SHALL BE AWARDED. THE  
31 CRITERIA USED IN AWARDING GRANTS SHALL INCLUDE, BUT NOT BE LIMITED TO:

32 A. COMMITMENT OF THE INSTITUTION TO THE RECRUITMENT OF MINORITY AND  
33 ECONOMICALLY DISADVANTAGED STUDENTS;

34 B. THE CAPACITY TO SECURE OR PROVIDE ADDITIONAL SUPPORT IN AMOUNTS  
35 EQUAL TO AT LEAST FIFTEEN PERCENT OF THE SUPPORT PROVIDED PURSUANT TO  
36 THIS SECTION THROUGH INSTITUTIONAL, PRIVATE AND OTHER GOVERNMENTAL  
37 SOURCES AND THROUGH IN-KIND CONTRIBUTIONS; AND

38 C. THE ANTICIPATED POTENTIAL OF THE CORPS PROGRAM, AS DESCRIBED IN  
39 THE REQUIRED PLAN, TO SERVE AS AN EFFECTIVE MODEL FOR OTHER INSTITUTIONS  
40 INTERESTED IN PREPARING SUCH A PROGRAM.

41 4. TO BE ELIGIBLE TO PARTICIPATE IN A CORPS PROGRAM, A STUDENT MUST  
42 BE A RESIDENT OF NEW YORK STATE, ECONOMICALLY DISADVANTAGED OR FROM A  
43 MINORITY GROUP HISTORICALLY UNDERREPRESENTED IN THE HOSPITAL ADMINIS-  
44 TRATION FIELD, HAVE AT LEAST THREE YEARS EXPERIENCE AS AN OPERATING ROOM  
45 NURSE, AND MUST DEMONSTRATE AN INTEREST IN A CAREER IN HOSPITAL ADMINIS-  
46 TRATION. INSTITUTIONS RECEIVING GRANTS PURSUANT TO THIS SECTION SHALL  
47 SELECT STUDENTS TO PARTICIPATE IN THE CORPS IN ACCORDANCE WITH RULES AND  
48 REGULATIONS TO BE PROMULGATED BY THE COMMISSIONER. SUCH RULES AND REGU-  
49 LATIONS SHALL ACCORD PRIORITY TO APPLICANTS IN THE FOLLOWING ORDER:

50 A. FIRST, TO ANY APPLICANT WHO IS FROM A MINORITY GROUP HISTORICALLY  
51 UNDERREPRESENTED IN THE FIELD OF HOSPITAL ADMINISTRATION AS DEFINED BY  
52 THE REGENTS;

53 B. SECOND, TO ANY APPLICANT WHO IS ECONOMICALLY DISADVANTAGED AS  
54 DEFINED BY THE REGENTS; AND

55 C. THIRD, TO ANY OTHER APPLICANT MEETING THE ABOVE ELIGIBILITY  
56 REQUIREMENTS.

1 5. FUNDS AVAILABLE PURSUANT TO THIS SECTION SHALL BE USED FOR:

2 A. ACTIVITIES DESCRIBED IN THE REQUIRED PLAN AS APPROVED BY THE  
3 COMMISSIONER;

4 B. SUPPLEMENTAL FINANCIAL ASSISTANCE IN THE FORM OF STIPENDS TO  
5 STUDENTS FOR THE COST OF ATTENDANCE. COST OF ATTENDANCE SHALL MEAN  
6 TUITION, REQUIRED FEES, BOOKS, TRANSPORTATION, ROOM AND BOARD, AND DAY  
7 CARE EXPENSES, IF REQUIRED; AND

8 C. ADMINISTRATIVE EXPENSES APPROVED BY THE COMMISSIONER UP TO AN  
9 AMOUNT NOT TO EXCEED TEN PERCENT OF THE TOTAL FUNDING PROVIDED PURSUANT  
10 TO THIS SECTION.

11 6. FUNDS APPROPRIATED FOR PURPOSES OF THIS SECTION SHALL BE PAID IN  
12 ACCORDANCE WITH A PAYMENT SCHEDULE TO BE ESTABLISHED BY THE COMMISSION-  
13 ER.

14 7. THE COMMISSIONER IS AUTHORIZED TO REQUIRE INSTITUTIONS RECEIVING  
15 FUNDS PURSUANT TO THIS SECTION TO REPORT PERIODICALLY ON THE PROGRESS OF  
16 CORPS PROGRAMS. THE COMMISSIONER SHALL REPORT ANNUALLY TO THE GOVERNOR  
17 AND THE LEGISLATURE ON OR BEFORE THE FIFTEENTH DAY OF FEBRUARY ON THE  
18 PROGRESS OF THE CORPS PROGRAMS FUNDED PURSUANT TO THIS SECTION AND THEIR  
19 EFFECTIVENESS IN EXPANDING REPRESENTATION OF MINORITIES AND ECONOMICALLY  
20 DISADVANTAGED PERSONS IN THE FIELD OF HOSPITAL ADMINISTRATION.

21 S 3. The sum of one million dollars (\$1,000,000), or so much thereof  
22 as may be necessary, is hereby appropriated to the department of educa-  
23 tion out of any moneys in the state treasury in the general fund to the  
24 credit of the local assistance account, not otherwise appropriated, for  
25 the payment of Operating Room Nurses Opportunity Corps grants pursuant  
26 to section 6453-a of the education law, as added by section two of this  
27 act.

28 S 4. This act shall take effect on the one hundred twentieth day  
29 after it shall have become a law, provided, however, that the provisions  
30 of subdivision 7 of section 6453-a of the education law, as added by  
31 section two of this act, providing for the commissioner of education's  
32 annual report to the governor and the legislature shall not take effect  
33 until February 15, 2010, and for all subsequent years thereafter;  
34 provided, however, that effective immediately, the addition, amendment  
35 and/or repeal of any rules or regulations necessary for the implementa-  
36 tion of the foregoing sections of this act on their effective date are  
37 authorized and directed to be made and completed on or before such  
38 effective date.