

1586

2009-2010 Regular Sessions

I N S E N A T E

February 3, 2009

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-quali-
15 fied students who are members of groups which are historically underrep-
16 resented in hospital administration or who are economically disadvan-
17 taged to prepare for admission into the hospital and health services
18 administration field through participation in the Operating Room Nurses
19 Opportunity Corps. It is also the intent of the legislature to create a
20 support system for members of the Operating Room Nurses Opportunity
21 Corps during their academic career and during their early professional
22 years as hospital administrators.

23 S 2. The education law is amended by adding a new section 6453-a to
24 read as follows:

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

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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.