S T A T E O F N E W Y O R K

2071

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

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:

Section 1. Legislative findings and intent. The legislature finds that many hospitals in the state are having difficulty obtaining qualified, competent administrators who are experienced in private patient care. Furthermore, the legislature finds that many operating room nurses, who are experienced, qualified, and able to oversee hospital administration, are oftentimes not afforded the opportunity to enter into the field of hospital administration and often lack the financial means to further their education.

It is the intent of the legislature to establish incentives through an Operating Room Nurses Opportunity Corps to encourage institutions of higher education to develop or enhance curricula within their hospital and health services administration programs and to establish programs with local hospitals to promote effective hospital administration. It is the further intent of the legislature to encourage academically-qualified students who are members of groups which are historically underrepresented in hospital administration or who are economically disadvantaged to prepare for admission into the hospital and health services administration field through participation in the Operating Room Nurses Opportunity Corps. It is also the intent of the legislature to create a support system for members of the Operating Room Nurses Opportunity Corps during their academic career and during their early professional years as hospital administrators.

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

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

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

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

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

B. THE PERSONAL, ACADEMIC, CAREER AND FINANCIAL AID COUNSELING AVAILABLE TO PARTICIPATING STUDENTS;

C. AN AGREEMENT WITH ONE OR MORE NEARBY HOSPITALS TO PROVIDE INTERNSHIPS AND CLINICAL EXPERIENCE FOR STUDENTS PARTICIPATING IN THE CORPS;

D. A CURRICULUM ADVISORY COMMITTEE COMPRISED OF REPRESENTATIVES OF THE INSTITUTION AND THE AFFILIATED HOSPITAL TO AID THE INSTITUTION IN DEVELOPING THE SPECIALIZED CURRICULUM;

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

F. THE RESOURCES REQUIRED TO CONDUCT THE PROPOSED CORPS PROGRAM, INCLUDING THE RESOURCES TO BE PROVIDED BY THE INSTITUTION IN SATISFACTION OF THE MATCHING REQUIREMENT; AND

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

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

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

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

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

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

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

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

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

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

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

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

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

6. FUNDS APPROPRIATED FOR PURPOSES OF THIS SECTION SHALL BE PAID IN ACCORDANCE WITH A PAYMENT SCHEDULE TO BE ESTABLISHED BY THE COMMISSIONER.

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

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

S 4. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, however, that the provisions of subdivision 7 of section 6453-a of the education law, as added by section two of this act, providing for the commissioner of education's annual report to the governor and the legislature shall not take effect until February 15, 2012, and for all subsequent years thereafter; provided, however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of the foregoing sections of this act on their effective date are authorized and directed to be made and completed on or before such effective date.