

1720--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. GUNTHER, GRAF, STECK, RAIA, McDONOUGH, CROUCH, MONTESANO, COOK -- Multi-Sponsored by -- M. of A. CERETTO, COLTON, DUPREY, MOYA, PERRY -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 ASSEMBLY, 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 FIFTEEN, 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

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

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1 THIRTY-FIVE THOUSAND DOLLARS PER YEAR FOR THE FOURTH AND FIFTH YEARS OF
2 PRACTICE IN SUCH AREA; AND

3 (II) TO GENERAL HOSPITALS AND OTHER HEALTH CARE PROVIDERS TO ADMINIS-
4 TER AS PART OF THEIR RECRUITMENT PACKAGES; PROVIDED THE LOAN REPAYMENT
5 AWARDS SHALL BE ADMINISTERED CONSISTENT WITH THE PROVISIONS OF THIS
6 SUBDIVISION.

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

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

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

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

33 S 2. This act shall take effect immediately.