

CHAPTER 1020

H.B. No. 2241

AN ACT

relating to health careers promotion for high school students interested in providing health care services in qualified areas.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 106, Health and Safety Code, is amended by adding Subchapter D to read as follows:

**SUBCHAPTER D. HEALTH CAREERS PROMOTION
AND EDUCATION PROGRAM**

Sec. 106.071. DEFINITIONS. In this subchapter:

- (1) "Fund" means the health careers education fund.
- (2) "Qualified area" means an area qualifying under the National Health Services Corps Community Scholarship Program or an area with similar characteristics as identified by the center.
- (3) "Postsecondary educational institution" means:
 - (A) an institution of higher education, as defined by Section 61.003, Education Code;
 - (B) a nonprofit, independent institution approved under Section 61.222, Education Code; or
 - (C) a nonprofit, health-related school or program accredited by the Southern Association of Colleges and Schools, the Liaison Committee on Medical Education, the American Osteopathic Association, the Board of Nurse Examiners, the Board of Vocational Nurse Examiners, or, in the case of allied health, an accrediting body recognized by the United States Department of Education.
- (4) "Program" means the health careers promotion and education program.

Sec. 106.072. ADMINISTRATION. (a) The center shall administer or contract for the administration of the program.

(b) The center may solicit and accept gifts, grants, donations, and contributions to support the program.

Sec. 106.073. HEALTH CAREERS PROMOTION. The center may establish a program to work with students, communities, and community-based organizations to encourage high school students to pursue health care professional careers. The center shall give priority to working with communities and students in qualified areas.

Sec. 106.074. LOANS. (a) The executive committee may award forgivable educational loans to eligible students under this subchapter.

(b) The executive committee may award forgivable loans to eligible students based on the availability of money in the fund.

(c) If in any year the fund is inadequate to provide loans to all eligible students, the executive committee may award forgivable loans on a priority basis according to the students' academic performance, test scores, and other criteria of eligibility.

Sec. 106.075. STUDENT ELIGIBILITY. (a) To be eligible to receive a loan under this subsection, a student must:

- (1) be sponsored by an eligible community;
 - (2) at the time of the application for the loan, be enrolled in high school or enrolled or accepted for enrollment in a postsecondary educational institution in this state;
 - (3) meet academic requirements as established by the executive committee;
 - (4) plan to complete a health care professional degree or certificate program;
 - (5) plan to practice as a health care professional in a qualified area of the state;
 - (6) meet other requirements as established by the executive committee.
- (b) Other requirements for eligibility for a loan under this subchapter must include:
- (1) one or more interviews with the student; and
 - (2) a statement written by the student of the student's reasons for:
 - (A) entering the health care profession; and
 - (B) wanting to provide health care services to a qualified area in this state.

Sec. 106.076. **COMMUNITY ELIGIBILITY.** (a) To be eligible to sponsor a student under this section, a community must:

- (1) be located in a qualified area in this state; and
 - (2) provide evidence of community sponsorship of the student.
- (b) Community sponsorship consists of:

- (1) a commitment to fund a percentage of the student's postsecondary educational expenses, including tuition, fees, educational materials, and living expenses; and
- (2) a commitment to employ the student on a full-time basis as a health care professional upon the student's completion of the academic program and licensure or certification in the health care profession for which the student is sponsored.

(c) The executive committee shall determine the percentage of educational expenses communities are required to provide under this section.

(d) Community financial support may be satisfied in whole or in part by a grant, a scholarship, or private foundation support.

Sec. 106.077. **AMOUNT OF LOAN.** (a) On confirmation of an eligible student's admission to a postsecondary educational institution or on receipt of an enrollment report of the student at a postsecondary educational institution, and certification of the amount of financial support needed, the executive committee may award a forgivable loan to the student in the amount of not more than the cost of the student's tuition, fees, educational materials, and living expenses.

(b) An eligible student may receive another grant, loan, or scholarship for which the student is eligible in addition to the receipt of a forgivable loan, except that the total amount of funds received may not exceed the reasonable needs of the student as determined by the postsecondary educational institution in which the student is enrolled.

Sec. 106.078. **REQUIRED CONTRACT.** (a) A student may receive assistance under this subchapter only if the student signs a contract agreeing to provide health care services to the sponsoring community upon completion of the academic program and licensure or certification in the health care profession for which the student is sponsored.

(b) The contract must provide that if the student does not provide the required services to the community or provides those services for less than the required time, the student is personally liable to the state for:

- (1) the total amount of assistance the student receives from the center and the sponsoring community;
- (2) interest on the total amount at a rate set by the executive committee; and
- (3) the state's reasonable expenses incurred in obtaining payment, including reasonable attorney's fees.

Sec. 106.079. **LOAN FORGIVENESS.** (a) A loan recipient shall be forgiven the principal and interest of one year's loan for each year the recipient practices as a health care professional providing health care services in the sponsoring community.

(b) A loan recipient must practice as a health care professional providing health care services in the sponsoring community for a minimum of two years.

(c) If the executive committee finds that a sponsoring community is not in need of the student's services and that the community is willing to forgive repayment of the principal balance and interest of the student's loan, the executive committee by rule may provide for the principal balance and interest of the student's loan to be forgiven if the student provides services in another qualified area in this state.

Sec. 106.080. **FUND.** (a) The health careers education fund is established in the state treasury.

(b) The center shall administer the fund.

(c) The fund consists of gifts, grants, donations, the market value of in-kind contributions, and principal and interest payments on forgivable loans deposited to the credit of the fund by the center.

(d) The center shall deposit any principal and interest payments on forgivable loans to the credit of the fund.

(e) The center shall allocate the fund, as available, for forgivable loans and community repayment under this subchapter.

(f) Unless otherwise provided by the General Appropriations Act, the center may use money appropriated to the center to support the fund.

Sec. 106.081. **REPORTING, MONITORING.** (a) The center shall require reports from students, communities, and postsecondary educational institutions as needed to monitor the program. The center shall distribute reports relating to the progress of a student to the community sponsoring the student.

(b) The sponsoring community shall report to the executive committee the length of time the student provides health care services in the community in accordance with the guidelines established by the executive committee.

(c) A postsecondary educational institution shall provide to the executive committee a copy of the academic transcript of each student for whom the institution has received a release that complies with state and federal open records laws and that authorizes the provision of the transcript.

Sec. 106.082. **PROGRAM PROMOTION.** The center shall provide postsecondary educational institutions and communities in qualified areas with information about health care careers and loan opportunities, including information on eligibility and availability of funds under this subchapter.

Sec. 106.083. **ADOPTION OF RULES.** (a) The executive committee shall adopt reasonable rules to enforce the requirements, conditions, and limitations under this subchapter.

(b) The executive committee shall set the rate of interest charged on a forgivable loan under this subchapter.

(c) The executive committee shall adopt rules necessary to ensure compliance with the Civil Rights Act of 1964 (42 U.S.C. Section 200d et seq.) concerning nondiscrimination in admissions.

SECTION 2. This Act takes effect September 1, 1993.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 4, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 2241 on May 27, 1993, by a non-record vote; passed by the Senate, with amendments, on May 25, 1993, by a viva-voce vote.

Approved June 19, 1993.

Effective Sept. 1, 1993.