Sixty-fifth Legislative Assembly of North Dakota

SENATE BILL NO. 2034

Introduced by

Legislative Management

(Health Services Committee)

- 1 A BILL for an Act to create and enact chapter 43-12.4 of the North Dakota Century Code,
- 2 providing for a nursing faculty student loan repayment program.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 4 **SECTION 1.** Chapter 43-12.4 of the North Dakota Century Code is created and enacted as follows:
- 6 <u>43-12.4-01. Student loan repayment program Nursing faculty.</u>
- 7 The health council shall administer a student loan repayment program established under
- 8 this chapter for a member of a nursing faculty who advances that faculty member's education
- 9 through a master's degree or doctorate degree. Subject to legislative appropriation, an award
- 10 under this chapter may not exceed the lesser of ten thousand dollars or the total sum of
- 11 <u>educational loans incurred to pursue the advanced degree.</u>
- 12 **43-12.4-02.** Selection criteria.

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- 13 <u>1. The health council shall establish criteria to be used in selecting qualified applicants</u>
 14 <u>for the nursing faculty student loan repayment program. The criteria must include:</u>
 - a. A requirement the applicant be employed full time as a nursing program faculty member at an institution of higher education located in this state;
 - b. A requirement the applicant agrees that for four years following completion of the advanced degree, the applicant will continue full-time employment as a nursing program faculty member at an institution of higher education located in this state;
 and
- 21 c. Verification of the educational loans the applicant is expected to incur in the
 22 course of completing the advanced degree.
- 23 <u>2. In selecting a qualified applicant for participation in the student loan repayment</u> 24 <u>program, the criteria may:</u>

1 Give priority to applicants based on the level of degree being sought; <u>a.</u> 2 Give priority to applicants based on the specialty of the degree being sought; and <u>b.</u> 3 <u>C.</u> Require verification from the applicant's employer in support of the applicant's 4 pursuit of an advanced degree. 5 <u>3.</u> In selecting the qualified applicant for participation in the program, the criteria may not 6 require an applicant attend an in-state institution of higher education to attain the 7 advanced degree. 8 43-12.4-03. Contract - Breach. 9 Upon selection of a qualified applicant, the health council and the applicant shall enter <u>1.</u> 10 a contract. The terms of the contract must include: 11 During pursuit of the advanced degree, the applicant shall continue full-time 12 employment as a nursing program faculty member at an institution of higher 13 education located in this state and shall provide the health council of verification 14 of meeting this term of the contract. 15 <u>b.</u> During pursuit of the advanced degree, the applicant shall provide the health 16 council with verification of the student loans incurred. 17 Following timely completion of the advanced degree, for four years the applicant <u>C.</u> 18 shall continue full-time employment as a nursing program faculty member at an 19 institution of higher education located in this state and shall provide the health 20 council of verification of meeting this term of the contract. 21 d. Terms of repayment if the applicant breaches the terms of the contract. 22 2. Payments under this chapter terminate upon the earlier of four years or failure of the 23 applicant to meet the terms of the contract. 24 <u>3.</u> If a qualified applicant receiving payments under this chapter breaches the student 25 loan repayment program contract by failing to timely complete the advanced degree, 26 failing to maintain full-time employment as a nursing program faculty member at an 27 institution of higher education located in this state during the pursuit of the advanced 28 degree or for four years following receipt of the advanced degree, or failing to provide 29 the health council with necessary verification, the applicant is liable for the full amount 30 of any loan repayment funds received. Any damages the state is entitled to recover 31 under this chapter must be paid to the health council within one year from the date of

Sixty-fifth Legislative Assembly

1	the breach. Damages recoverable for a breach of the contract include all interest,
2	costs, and expenses incurred in collection, including attorney's fees. The health
3	council shall deposit in the state general fund any damages collected under this
4	section. The health council may agree to accept a lesser measure of damages for
5	breach of a loan repayment program contract if compelling reasons are demonstrated,
6	including death of the applicant, a certifiable medical condition or disability, or a call to
7	military service.
8	43-12.4-04. Payments.
9	Annually, upon receipt of verification of continued eligibility, the health council shall make a
10	payment to the qualified applicant as provided under the terms of the contract. The health
11	council shall make payments directly to the qualified applicant.