

1 and recruitment activities; requiring matching
2 of appropriated funds; providing for rules;
3 providing eligibility criteria; providing an
4 effective date.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. This act may be cited as the "Nursing
9 Shortage Solution Act."

10 Section 2. Subsections (5) through (11) of section
11 240.4075, Florida Statutes, are renumbered as subsections (6)
12 through (12), respectively, subsection (4) is amended, and a
13 new subsection (5) is added to said section, to read:

14 240.4075 Nursing Student Loan Forgiveness Program.--

15 (4) From the funds available, the Department of Health
16 may make loan principal repayments of up to \$4,000 a year for
17 up to 4 years on behalf of selected graduates of an accredited
18 or approved nursing program. All repayments shall be
19 contingent upon continued proof of employment in the
20 designated facilities in this state and shall be made directly
21 to the holder of the loan. The state shall bear no
22 responsibility for the collection of any interest charges or
23 other remaining balance. In the event that the designated
24 facilities are changed, a nurse shall continue to be eligible
25 for loan forgiveness as long as he or she continues to work in
26 the facility for which the original loan repayment was made
27 and otherwise meets all conditions of eligibility.~~Receipt of~~
28 ~~funds pursuant to this program shall be contingent upon~~
29 ~~continued proof of employment in the designated facilities in~~
30 ~~this state. Loan principal payments shall be made by the~~
31 ~~Department of Health directly to the federal or state programs~~

1 ~~or commercial lending institutions holding the loan as~~
2 ~~follows:~~

3 ~~(a) Twenty-five percent of the loan principal and~~
4 ~~accrued interest shall be retired after the first year of~~
5 ~~nursing;~~

6 ~~(b) Fifty percent of the loan principal and accrued~~
7 ~~interest shall be retired after the second year of nursing;~~

8 ~~(c) Seventy-five percent of the loan principal and~~
9 ~~accrued interest shall be retired after the third year of~~
10 ~~nursing; and~~

11 ~~(d) The remaining loan principal and accrued interest~~
12 ~~shall be retired after the fourth year of nursing.~~

13
14 ~~In no case may payment for any nurse exceed \$4,000 in any~~
15 ~~12-month period.~~

16 (5) Students receiving a nursing scholarship pursuant
17 to s. 240.4076 are not eligible to participate in the Nursing
18 Student Loan Forgiveness Program.

19 Section 3. Subsections (2), (3), and (6) and
20 paragraphs (c) and (d) of subsection (4) of section 240.4076,
21 Florida Statutes, are amended to read:

22 240.4076 Nursing scholarship program.--

23 (2) A scholarship applicant shall be enrolled ~~as a~~
24 ~~full-time or part-time student in the upper division of an~~
25 ~~approved nursing program leading to the award of an associate~~
26 ~~degree, a baccalaureate degree, or a graduate degree to~~
27 ~~qualify for a nursing faculty position or as an advanced~~
28 ~~registered nurse practitioner or be enrolled as a full-time or~~
29 ~~part-time student in an approved program leading to the award~~
30 ~~of an associate degree in nursing.~~

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1 (3) A scholarship may be awarded for no more than 2
2 years, in an amount not to exceed \$8,000 per year. However,
3 registered nurses pursuing a graduate degree for a faculty
4 position or to practice as an advanced registered nurse
5 practitioner may receive up to \$12,000 per year. ~~Beginning~~
6 ~~July 1, 1998,~~These amounts shall be adjusted by the amount of
7 increase or decrease in the consumer price index for urban
8 consumers published by the United States Department of
9 Commerce.

10 (4) Credit for repayment of a scholarship shall be as
11 follows:

12 (c) Any recipient who does not complete an appropriate
13 program of studies or who does not become licensed is
14 responsible for repaying the entire amount of the scholarship
15 plus interest. Repayment schedules and applicable interest
16 rates shall be determined by rules of the State Board of
17 Education under ss. 240.451 and 240.465 ~~shall repay to the~~
18 ~~Department of Health, on a schedule to be determined by the~~
19 ~~department, the entire amount of the scholarship plus 18~~
20 ~~percent interest accruing from the date of the scholarship~~
21 ~~payment.~~ Moneys repaid shall be deposited into the Nursing
22 Student Loan Forgiveness Trust Fund established in s.
23 240.4075. However, the department may provide additional time
24 for repayment if the department finds that circumstances
25 beyond the control of the recipient caused or contributed to
26 the default.

27 (d) Any recipient who does not accept employment as a
28 nurse at an approved health care facility or who does not
29 complete 12 months of approved employment for each year of
30 scholarship assistance received is responsible for repaying
31 the entire amount of the scholarship plus interest. Repayment

1 schedules and applicable interest rates shall be determined by
2 rules of the State Board of Education under ss. 240.451 and
3 240.465 shall repay to the Department of Health an amount
4 equal to two times the entire amount of the scholarship plus
5 interest accruing from the date of the scholarship payment at
6 the maximum allowable interest rate permitted by law.
7 ~~Repayment shall be made within 1 year of notice that the~~
8 ~~recipient is considered to be in default. However, the~~
9 department may provide additional time for repayment if the
10 department finds that circumstances beyond the control of the
11 recipient caused or contributed to the default.

12 (6) The Department of Health shall adopt rules,
13 including rules to address extraordinary circumstances that
14 may cause a recipient to default on either the school
15 enrollment or employment contractual agreement, to implement
16 this section ~~and may solicit technical assistance relating to~~
17 ~~the conduct of this program from the Department of Health.~~

18 Section 4. Sunshine Workforce Solutions Grant
19 Program.--

20 (1) The Legislature recognizes the need for school
21 districts to be able to respond to critical workforce
22 shortages in nursing. The Sunshine Workforce Solutions Grant
23 Program is created to provide grants to school districts on a
24 competitive basis to fund all or some of the costs associated
25 with establishing an exploratory program in nursing at the
26 middle school level or a comprehensive career and technical
27 education program within a high school that provides a program
28 of study in nursing that will provide a seamless transition to
29 appropriate postsecondary education or employment.

30 (a) A comprehensive career and technical education
31 program within a high school that provides a program of study

1 in nursing must be certified or endorsed by the Florida Board
2 of Nursing to ensure that all components of the program are
3 relevant and appropriate to prepare the student for further
4 education and employment in nursing.

5 (b) For career and technical education programs in
6 which high school credit is articulated to a related
7 postsecondary education program, there must be an articulation
8 agreement that ensures seamless transition from one level to
9 the next without a loss of credit for the student.

10 (c) Participation in work-based learning experiences,
11 as defined in rule by the Department of Education, shall be
12 required in career and technical education programs at the
13 high school level.

14 (2) Funds awarded for a Sunshine Workforce Solutions
15 Grant may be used for instructional equipment, laboratory
16 equipment, supplies, personnel, student services, or other
17 expenses associated with the development of a program in
18 nursing.

19 (3) The Department of Education shall accept
20 applications from middle schools and high schools for grants
21 under the Sunshine Workforce Solutions Grant Program.

22 (a) Applications shall contain projected enrollments
23 and projected costs for the Sunshine Workforce Solutions
24 Grants.

25 (b) Schools shall be selected based on existing
26 infrastructure that would ensure success of the program. The
27 department shall consider statewide geographic disbursement of
28 grant funds in ranking the applications.

29 (c) Methods for evaluating the success of the grant
30 program, including student recruitment, retention, and program
31 completion, must be included in the application.

1 Section 5. Subsection (1) of section 464.009, Florida
2 Statutes, is amended to read:

3 464.009 Licensure by endorsement.--

4 (1) The department shall issue the appropriate license
5 by endorsement to practice professional or practical nursing
6 to an applicant who, upon applying to the department and
7 remitting a fee set by the board not to exceed \$100,
8 demonstrates to the board that he or she:

9 (a) Holds a valid license to practice professional or
10 practical nursing in another state of the United States,
11 provided that, when the applicant secured his or her original
12 license, the requirements for licensure were substantially
13 equivalent to or more stringent than those existing in Florida
14 at that time; ~~or~~

15 (b) Meets the qualifications for licensure in s.
16 464.008 and has successfully completed a state, regional, or
17 national examination which is substantially equivalent to or
18 more stringent than the examination given by the department;
19 or

20 (c) Has actively practiced nursing in another state or
21 territory of the United States for 2 of the preceding 3 years
22 without having his or her license acted against by the
23 licensing authority of any jurisdiction. Applicants who
24 become licensed pursuant to this paragraph must complete
25 within 6 months after licensure a Florida laws and rules
26 course that is approved by the board. Persons who apply for
27 licensure by endorsement under this paragraph and meet all
28 requirements for licensure under this paragraph may be issued
29 a 180-day temporary work permit pending receipt of the
30 national criminal history check. The temporary work permit
31 shall not be renewable or transferable. Once the department

1 has received the results of the national criminal history
2 check and has determined that the applicant has no criminal
3 history, the appropriate license by endorsement shall be
4 issued to the applicant. This paragraph is repealed July 1,
5 2004, unless reenacted by the Legislature.

6 Section 6. Subsection (2) of section 464.019, Florida
7 Statutes, is amended, and subsection (6) is added to said
8 section, to read:

9 464.019 Approval of nursing programs.--

10 (2)(a) The board shall adopt rules, applicable to
11 initial review and conditional approval of a program,
12 regarding educational objectives, faculty qualifications,
13 curriculum guidelines, administrative procedures, and clinical
14 training. An applicant institution shall comply with such
15 rules in order to obtain conditional program approval. No
16 program shall be considered fully approved, nor shall any
17 program be exempted from such rules, prior to the graduation
18 of the program's first class.

19 (b) The board shall adopt rules regarding educational
20 objectives and curriculum guidelines as are necessary to grant
21 full approval to a program and to ensure that fully approved
22 programs graduate nurses capable of competent practice under
23 this part. Rules regarding educational objectives shall
24 consider student attrition rate standards, availability of
25 qualified faculty, and appropriate clinical training
26 facilities. However, the board shall adopt no rule that
27 prohibits a qualified institution from placing a student in a
28 facility for clinical experience, regardless of whether more
29 than one nursing program is using the same facility for
30 clinical experience.

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1 (c) The board shall adopt rules governing probation,
2 suspension, and termination status of programs that fail to
3 comply with the standards of this part.

4 (d) The board shall not adopt any rule limiting the
5 number of students admitted to a nursing program, provided
6 appropriate faculty-to-student ratios are maintained.

7 (6) Any nursing program that maintains accreditation
8 through an accrediting body recognized by the United States
9 Department of Education shall be exempt from the rules of the
10 board except as provided in paragraph (2)(b), provided such
11 exemption shall apply only to the extent the program maintains
12 a student pass rate on the National Clinical Licensure
13 Examination of not less than 7 percentage points below the
14 national average pass rate as reported annually by the
15 National Council of State Boards of Nursing.

16 Section 7. (1) There is hereby appropriated from the
17 General Revenue Fund to the Department of Health for fiscal
18 year 2002-2003 the sum of \$1 million. Moneys in this
19 appropriation shall be used by the Department of Health to
20 provide grants to hospitals for nurse retention and
21 out-of-state recruitment activities during the 2002-2003
22 fiscal year. These moneys are subject to a one-for-one match
23 from hospitals. Moneys not matched by September 30, 2002,
24 shall revert to the General Revenue Fund.

25 (2) The Department of Health shall accept requests for
26 grants under this section beginning July 1, 2002. The
27 department shall determine grant amounts beginning October 1,
28 2002, once the amount of the appropriation in subsection (1)
29 that has been matched by additional moneys is determined and
30 the department can determine the amount of grant moneys
31 available.

1 (3) The Department of Health shall by rule, pursuant
2 to ss. 120.536(1) and 120.54, Florida Statutes, adopt criteria
3 for grant awards. In addition to other criteria, the
4 department shall require that a hospital have experienced an
5 average vacancy rate of 20 percent or more among nursing
6 positions during the preceding 12 months. If the amount
7 available for distribution is less than the aggregate amount
8 of requests that meet the department's criteria, the
9 department shall provide grants on a pro rata basis.

10 Section 8. This act shall take effect upon becoming a
11 law.

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