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By the Committee on Appropriations

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A bill to be entitled An act relating to higher education; amending s. 464.0195, F.S.; establishing the Florida Center for Nursing within the University of South Florida; requiring the center to administer the Linking Industry to Nursing Education (LINE) Fund; requiring the center to promote the availability of LINE funding; requiring the center to publish on its website guidelines the LINE Fund administration; amending s. 1009.24, F.S.; revising programs for which the Board of Governors may establish tuition; authorizing a university board of trustees to establish out-of-state fees for nonresident students; requiring the Board of Governors to ensure a certain threshold is not exceeded; deleting a provision requiring that a certain fee not exceed a specified amount; deleting a requirement for a block tuition policy for nonresident undergraduate students; amending s. 1009.26, F.S.; requiring a state university to waive a student's out-of-pocket expenses under certain conditions; deleting a requirement for a certain fee waiver; amending s. 1009.8962, F.S.; revising legislative intent regarding the establishment of the LINE Fund; defining the term "center"; revising the definition of the term "health care partner"; revising how certain funds may or may not be used; revising participation requirements for LINE funding; providing examples of allowable LINE contributions; providing requirements for accepting

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certain contributions; requiring the center, rather than the Board of Governors, to review and evaluate proposals; revising criteria for such reviews and evaluations; authorizing the center to assign priority consideration for certain grant applications; requiring the center to notify grant applicants of certain information; defining terms; providing requirements for institutions with an approved proposal; authorizing the center to award funds for up to 3 academic years; requiring institutions awarded grant funds to submit a report to the center, rather than to the Board of Governors; deleting a requirement for the Board of Governors to adopt regulations and the State Board of Education to adopt rules; providing an effective date.

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

Section 1. Section 464.0195, Florida Statutes, is amended to read:

464.0195 Florida Center for Nursing; goals.-

(1) There is established within the University of South Florida the Florida Center for Nursing to address issues of supply and demand for nursing, including issues of recruitment, retention, and utilization of resources that support the state's nursing nurse workforce resources. The Legislature finds that the center will repay the state's investment by providing an ongoing strategy for the allocation of the state's resources directed towards nursing.

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(2) The primary goals for the center shall be to:

- (a) Develop a strategic statewide plan for nursing manpower in this state by:
- 1. Conducting a statistically valid biennial data-driven gap analysis of the supply and demand of the health care workforce. The center shall:
- a. Establish and maintain a database on nursing supply and demand in the state, to include current supply and demand.
- b. Analyze the current and future supply and demand in the state and the impact of this state's participation in the Nurse Licensure Compact under s. 464.0095.
- 2. Developing recommendations to increase nurse faculty and clinical preceptors, support nurse faculty development, and promote advanced nurse education.
- 3. Developing best practices in the academic preparation and continuing education needs of qualified nurse educators, nurse faculty, and clinical preceptors.
- 4. Collecting data on nurse faculty, employment, distribution, and retention.
- 5. Piloting innovative projects to support the recruitment, development, and retention of qualified nurse faculty and clinical preceptors.
- 6. Encouraging and coordinating the development of academic-practice partnerships, including partnerships with hospitals which provide opportunities for nursing students to obtain clinical experience, to support nurse faculty employment and advancement.
- 7. Developing distance learning infrastructure for nursing education and advancing faculty competencies in the pedagogy of

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teaching and the evidence-based use of technology, simulation, and distance learning techniques.

- (b) Enhance and promote recognition, reward, and renewal activities for nurses in the state by:
- 1. Promoting nursing excellence programs such as magnet recognition by the American Nurses Credentialing Center;
- 2. Proposing and creating additional reward, recognition, and renewal activities for nurses; and
- 3. Promoting media and positive image-building efforts for nursing.
- (c) Convene various groups representative of nurses, other health care providers, business and industry, consumers, lawmakers, and educators to:
- 1. Review and comment on data analysis prepared for the center;
- 2. Recommend systemic changes, including strategies for implementation of recommended changes; and
- 3. Evaluate and report the results of these efforts to the Legislature and other entities.
- (3) The Board of Nursing shall include on its initial and renewal application forms a question asking each nurse to voluntarily contribute to funding the Florida Center for Nursing in addition to paying the fees imposed at the time of licensure and licensure renewal. Revenues collected from nurses over and above the required fees shall be transferred from the Medical Quality Assurance Trust Fund to the Grants and Donations Trust Fund within the Department of Health and shall be used solely to support and maintain the goals and functions of the center. Before giving a nurse the opportunity to contribute to funding

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the center at the time of licensure renewal, the Board of Nursing shall provide the nurse with a summary of the center's work, a link to the center's Internet website, and the following statement: "The Florida Center for Nursing's operating revenues are derived in part from your donation. In order for the Florida Center for Nursing to continue its work on behalf of nurses, please donate."

- (4) The center may request from the board, and the board must provide to the center upon its request, any information held by the board regarding nurses licensed in this state or holding a multistate license pursuant to s. 464.0095 or information reported to the board by employers of such nurses, other than personal identifying information.
- (5) The center shall administer the Linking Industry to Nursing Education (LINE) Fund created by s. 1009.8962.
- (a) The center shall proactively promote to eligible institutions the availability of matching funds through the LINE Fund before the opening of the annual application period.
- (b) The center shall provide technical assistance to eligible institutions before, during, and after the award process to maximize the success of the program statewide.
- (c) To administer the application, evaluation, and distribution of LINE Fund grants under s. 1009.8962, the center shall develop and make publicly available on its website the guidelines for the LINE Fund administration, including:
 - 1. Any application procedures and deadlines.
- 2. The criteria for program eligibility and funding priorities.
 - 3. A preapproval process to assist applicants with planning

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for the annual application process.

- 4. A process to ensure the fair evaluation of all submitted proposals and determination of award recipients.
- 5. The process that each type of eligible institution must follow to certify the receipt of the pledged contributions from any partner organizations before receiving any matching state funds.
- 6. Reporting and accountability standards for grant recipients that apply for or receive LINE funds, including actions the center may consider when an institution materially fails to comply with any program requirements or standards.
- (6)(5) No later than each January 10, the center shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing details of its activities during the preceding calendar year in pursuit of its goals and in the execution of its duties under subsection (2), including a nursing education program report. The center shall annually update the report no later than February 10, to include data related to the NCLEX examination.
- Section 2. Subsections (4) and (5), paragraph (c) of subsection (8), and paragraph (a) of subsection (15) of section 1009.24, Florida Statutes, are amended to read:
 - 1009.24 State university student fees.-
- (4)(a) Effective July 1, 2014, the resident undergraduate tuition for lower-level and upper-level coursework shall be \$105.07 per credit hour.
- (b) The Board of Governors may establish tuition for graduate and professional programs and out-of-state fees for all programs. Except as otherwise provided in this section, the sum

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of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students. However, adjustments to out-of-state fees or tuition for graduate programs and professional programs may not exceed 15 percent in any year.

- (c) Each university board of trustees may establish out-of-state fees for nonresident students. Except as otherwise provided in this section, the sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students.
- (d) Beginning with the 2026-2027 academic year, the Board of Governors shall ensure that the systemwide threshold for nonresident student enrollment, excluding the non-resident student enrollment at Florida Agricultural and Mechanical University, established pursuant to Regulation 7.006, is not exceeded.
- (e) (c) The Board of Governors may consider and approve flexible tuition policies as requested by a university board of trustees in accordance with subsection (15) only to the extent such policies are in alignment with the mission of the university and do not increase the state's fiscal liability or obligations, including, but not limited to, any fiscal liability or obligation for programs authorized under ss. 1009.53-1009.538 and ss. 1009.97-1009.984.
- (f)(d) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course may not exceed 40 percent of the tuition established in law or in the General Appropriations Act. No university shall be required to lower any fee in effect on the effective date of

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this act in order to comply with this subsection. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and athletic fees more than 5 percent per year unless specifically authorized in law or in the General Appropriations Act. A university may increase its athletic fee to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subsection (12) and may not exceed \$2 per credit hour. Notwithstanding ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection which causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap may not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. Notwithstanding this paragraph and subject to approval by the board of trustees, each state university may exceed the 5-percent cap on the annual increase to the aggregate sum of activity and service, health, and athletic fees for the 2010-2011 fiscal year. Any such increase may not exceed 15 percent or the amount required to reach the 2009-2010 fiscal year statewide average for the aggregate sum of activity and service, health, and athletic fees at the main campuses, whichever is greater. The aggregate sum of the activity and service, health, and athletic fees may not exceed 40 percent of

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tuition. Any increase in the activity and service fee, health fee, or athletic fee must be approved by the appropriate fee committee pursuant to subsection (10), subsection (11), or subsection (12).

- $\underline{(g)}$ (e) This subsection does not prohibit a university from increasing or assessing optional fees related to specific activities if payment of such fees is not required as a part of registration for courses.
- (5) A university may implement a differential out-of-state fee in accordance with regulations developed by the Board of Governors for the following:
- (a) A student from another state that borders the service area of the university.
- (b) A graduate student who has been determined to be a nonresident for tuition purposes pursuant to s. 1009.21 and has a .25 full-time equivalent appointment or greater as a graduate assistant, graduate research assistant, graduate teaching assistant, graduate research associate, or graduate teaching associate.
- (c) A graduate student who has been determined to be a nonresident for tuition purposes pursuant to s. 1009.21 and is receiving a full fellowship.

(8)

(c) The fee may not exceed 10 percent of the tuition for resident students or 10 percent of the sum of tuition and outof-state fees for nonresident students. The fee for resident students shall be limited to an increase of \$2 per credit hour over the prior year. The Capital Improvement Trust Fund fee may be used to fund any project or real property acquisition that

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meets the requirements of chapter 1013. The Division of Bond Finance of the State Board of Administration shall analyze any proposed reductions to the Capital Improvement Trust Fund fee to ensure consistency with prudent financial management of the bond program associated with the revenues from the fee. The Board of Governors shall approve any proposed fee reductions provided that no such reduction reduces the fee below the level established in paragraph (a).

- (15) (a) The Board of Governors may approve:
- 1. A proposal from a university board of trustees to establish a new student fee that is not specifically authorized by this section.
- 2. A proposal from a university board of trustees to increase the current cap for an existing fee authorized pursuant to paragraphs (14)(a)-(g).
- 3. A proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university's continuing education program. A block tuition policy for resident undergraduate students or undergraduate-level courses shall be based on the per-credit-hour undergraduate tuition established under subsection (4). A block tuition policy for nonresident undergraduate students shall be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state's fiscal liability or obligation.

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Section 3. Paragraphs (a) and (c) of subsection (18) of section 1009.26, Florida Statutes, are amended to read:

1009.26 Fee waivers.-

- (18) (a) For every course in a Program of Strategic Emphasis, or in a state-approved teacher preparation program identified by the Board of Governors, as identified in subparagraph 3., in which a student is enrolled and has out-of-pocket expenses for tuition and fees after all other federal, state, and institutional gift aid is applied, a state university shall waive 100 percent of the student's out-of-pocket expenses for tuition and fees for an equivalent course in such program for a student who:
 - 1. Is a resident for tuition purposes under s. 1009.21.
- 2. Has earned at least 60 semester credit hours toward towards a baccalaureate degree within 2 academic years after initial enrollment at a Florida public postsecondary institution.
- 3. Enrolls in one of 10 Programs of Strategic Emphasis as adopted by the Board of Governors or a state-approved teacher preparation program. The Board of Governors shall adopt eight Programs of Strategic Emphasis in science, technology, engineering, or math; beginning with the 2022-2023 academic year, two Programs of Strategic Emphasis in the critical workforce gap analysis category; and beginning with the 2023-2024 academic year, two state-approved teacher preparation programs for which a student may be eligible to receive the tuition and fee waiver authorized by this subsection. The programs identified by the board must reflect the priorities of the state and be offered at a majority of state universities at

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the time the Board of Governors approves the list.

(c) Upon enrollment in a Program of Strategic Emphasis or a state-approved teacher preparation program, the tuition and fees waived under this subsection must be reported for state funding purposes under ss. 1009.534 and 1009.535 and must be disbursed to the student. The amount disbursed to the student must be equal to the award amount the student has received under s. 1009.534(2) or s. 1009.535(2).

Section 4. Present paragraphs (a), (b), and (c) of subsection (3) of section 1009.8962, Florida Statutes, are redesignated as paragraphs (b), (c), and (d), respectively, a new paragraph (a) is added to that subsection, and subsection (2), present paragraph (a) of subsection (3), and subsections (4) through (10) of that section are amended, to read:

1009.8962 Linking Industry to Nursing Education (LINE) Fund.—

- (2) Recognizing that the state has a persistent and growing nursing shortage, it is the intent of the Legislature to address this critical workforce need by incentivizing collaboration between nursing education programs and health care partners through the establishment of the LINE Fund. This fund is intended to meet local, regional, and state workforce demand by recruiting faculty and clinical preceptors, increasing the capacity of high-quality nursing education programs, and increasing the number of nursing education program graduates who are prepared and licensed to enter the workforce.
 - (3) As used in this section, the term:
- (a) "Center" means the Florida Center for Nursing within the University of South Florida, established by s. 464.0195.

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(b) (a) "Health care partner" means a health care provider as defined in s. 768.38(2) which is licensed to operate in this state. The center may also consider any of the following types of organizations that are connected to nursing education or the nursing workforce as a "health care partner" for the purpose of evaluating an institution's proposal and a pledged contribution for matching LINE funds.

- 1. An organization that manufactures or sells durable medical equipment or simulation equipment that demonstrably enhances or supplements a nursing student's education.
- 2. An organization that provides educational materials or instruction related to preparation to pass a nationally recognized nursing licensure examination.
- 3. A health care organization active in this state which employs or uses licensed nurses to deliver direct patient care.
- 4. A nonprofit organization or fund with a 501(c)(3) designation registered in this state for at least 2 years before the date of the initial LINE grant application which is organized primarily, or which makes other reportable charitable contributions, to support the health care workforce of this state through training or the continuing education of health care professionals.
- (4) The LINE Fund shall be administered by the <u>center</u> Board of Governors for state universities and the Department of Education for all other institutions.
- (5) Subject to available funds and the approval of an application by the center, for every dollar contributed to an institution by a health care partner, the fund shall provide a dollar-to-dollar match to the participating institution to

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implement the activities outlined in the institution's approved
proposal.

- (6) (a) Funds may be used for student scholarships; recruitment of additional faculty and preceptors; increasing program enrollment, program completion, and licensure exam passage rates; requipment; and simulation centers; internships; and other related activities determined by the center to advance high-quality nursing education programs and to expand the qualified nursing workforce throughout the state.
- (b) Funds may not be used for the construction of new buildings but may be used to expand, retrofit, or upgrade existing facilities if the proposal will result in increased program enrollments or improved or modernized educational or simulation space for nursing education students.
- (7) (a) To participate, an institution must submit a timely and completed proposal to the <u>center</u> Board of Governors or <u>Department of Education</u>, in a <u>standardized</u> format <u>developed</u> <u>under s. s. 464.0195(5)</u> <u>prescribed by the Board of Governors or Department of Education</u>, as applicable.
- (b) The proposal must identify the specific a health care partner located and licensed to operate in the state whose monetary or nonmonetary contributions will be matched by the fund on a dollar-to-dollar basis if the proposal is approved by the center.
- 1. Examples of allowable nonmonetary LINE contributions from health care partners include, but are not limited to, the value of the donated use of health care partner employees as nursing program instructors or preceptors; the value of the donated use of a health care partner's space or equipment by a

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nursing education program; or the value of donated goods and services, such as educational or simulation equipment, licensure exam preparation materials and instruction, or other similar quantifiable donated goods and services deemed by the center to be good faith contributions that support the goals of the LINE Fund.

- 2. To accept nonmonetary contributions as health care partner matching funds, the applicant and the center must quantify the value of the contribution in dollars and certify that the proposed contribution directly supports the goals of the LINE Fund outlined in subsection (1).
- (8) (a) The <u>center</u> Board of Governors or Department of Education, as applicable, must review and evaluate each completed and timely submitted proposal according to the following minimum criteria, where applicable:
- $\frac{1.(a)}{a}$ Whether funds committed by the health care partner will contribute to an eligible purpose.
- $\frac{2.(b)}{(b)}$ How the institution plans to use the funds, including how such funds will be utilized to increase student enrollment, and program completion, or licensure exam test-takers or passage rates.
- 3.(c) How the health care partner will onboard and retain graduates or otherwise improve the likelihood that graduates will successfully join the state or local workforce.
- $\underline{4.}$ (d) How the funds will expand the institution's nursing education programs to meet local, regional, or state workforce demands. If applicable, this shall include
- 5. How the proposal will enhance opportunities to pursue and complete advanced education nursing education programs.

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<u>6.</u> and How the funds will increase the number of faculty and clinical preceptors and planned efforts to utilize the clinical placement process established in s. 14.36.

- (b) The center may assign priority consideration for grant applications that will improve services in underserved geographic areas or for programs and partnerships that address the greatest workforce needs or gaps identified under s. 464.0195.
- (c) After reviewing and evaluating each timely submitted proposal, the center must notify each applicant regarding which of the following categories each of the institution's proposals has been classified into, and provide a brief explanation for the center's principal reason or reasons for reaching its determination:
 - 1. Approved;
 - 2. Provisionally Approved;
 - 3. Approved, Pending Available Funding; or
 - 4. Denied for Funding.
 - (d) As used in this subsection, the term:
- 1. "Approved" means the center agrees that the institution's proposal meets the criteria and intent of this section and the proposal will receive matching LINE funding upon certification of the receipt of the health care partner's contribution.
- 2. "Provisionally Approved" means the center agrees that the institution's proposal makes a good faith effort to meet the criteria and intent of this section, but the center determined that additional information or amendments to the proposal are necessary to bring the proposal into full compliance with the

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requirements of this section.

<u>a. The center may offer technical assistance to the applying institution to ensure its resubmitted application meets</u> the full program requirements for funding.

- b. A "Provisionally Approved" proposal, if timely resubmitted, may immediately move to an "Approved" proposal if the center determines that the resubmitted proposal meets the full requirements of this section, that sufficient LINE funds are available to match the proposal, and that the proposal addresses a high priority need for the state, such as serving underserved geographic areas or closing identified workforce gaps.
- 3. "Approved, Pending Available Funding" means that the center agrees that the institution's proposal, or resubmitted proposal, meets the criteria and intent of this section but the proposal will not receive matching LINE funds unless additional LINE funding becomes available later in the fiscal year. The availability of LINE Fund dollars to match proposals classified as "Approved, Pending Available Funding" may result from:
- a. The failure of another approved awardee to timely certify the actual receipt of a health care partner's pledged contributions.
- b. Additional savings identified by the center from previously appropriated LINE funds.
- c. A balance in the LINE Fund due to a lack of approved proposals from a type of nursing education program or institution for which a specified amount of LINE funds was identified in the General Appropriations Act for a particular fiscal year. The center may set a date on or after February 1 of

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each year when the center determines that an insufficient number of approved or provisionally approved proposals exist from the institutions provided priority consideration by the Legislature in that fiscal year. After the noticed date, the center may redistribute any remaining LINE funds to highly ranked approved, pending available funding proposals from any type of program or institution that can certify, before June 30, the receipt of its health care partner's contribution.

- 4. "Denied for Funding" means the institution's proposal does not meet the full criteria or intent of this section or that the institution has not timely certified the receipt of an allowable health care partner's contribution.
- (9) (a) Each institution with an approved proposal <u>must</u> certify to the center in a manner prescribed under s.

 464.0195(5) the <u>shall notify the Board of Governors or</u>

 Department of Education, as applicable, upon receipt of the health care <u>partner's contribution partner provided funds</u> identified in the <u>approved proposal</u>. The <u>center may Board of Governors or Department of Education</u>, as applicable, shall release grant funds, on a dollar-for-dollar basis, up to the amount of <u>the contribution certified as funds</u> received by the institution, including certifications made on a rolling or <u>periodic basis</u>.
- (b) If deemed to meet the long-term goals of the LINE Fund, the center may, but is not required to, award funds for an approved proposal for up to 3 academic years immediately following the academic year within which the initial approval is granted. If the center approves a multiyear award to an institution, it must notify the recipient that the award amount

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in subsequent years is subject to a LINE Fund appropriation and the continued certification of the health care partner's contribution to match the multiyear award of state funds.

(c) (b) Annually, by February 1, each institution awarded grant funds in the previous fiscal year shall submit a report to the center which Board of Governors or Department of Education, as applicable, that demonstrates the expansion as outlined in the proposal and the use of funds. At minimum, the report must include, by program level, the number of additional nursing education students enrolled; if scholarships were awarded using grant funds, the number of students who received scholarships and the average award amount; and the outcomes of students as reported by the Office of Reimagining Education and Career Help pursuant to s. 14.36(3)(1).

(10) The Board of Governors shall adopt regulations and the State Board of Education shall adopt rules to administer the fund, establish dates for the submission and review of proposals, award funds, and other regulations and rules necessary to implement this section.

Section 5. This act shall take effect July 1, 2025.