

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

ARTICLE 5. GENERAL PROVISIONS.

Section 5-5. Short title. This Act may be cited as the Nurse Educator Assistance Act.

Section 5-10. Purpose. The purpose of this Act is to attract capable and promising students to the nursing educator profession, increase employment and retention of individuals who are working towards or who have received a master's or doctoral degree in nursing, and provide opportunities for persons making mid-career decisions to enter the nurse educator profession.

Section 5-15. Definitions. In this Act:

"Approved program of professional nursing education" and "approved program of practical nursing education" mean programs of professional or practical nursing, respectively, approved by the Department of Financial and Professional Regulation under the provisions of the Nursing and Advanced Practice Nursing Act.

"Commission" means the Illinois Student Assistance Commission.

Section 5-20. Rulemaking. The Commission shall adopt all rules necessary for the administration of this Act.

ARTICLE 10. NURSE EDUCATOR LOAN REPAYMENT PROGRAM.

Section 10-5. Nurse Educator Loan Repayment Program. There is created, beginning July 1, 2007, the Nurse Educator Loan

Repayment Program to be administered by the Illinois Student Assistance Commission. The program shall provide assistance, subject to appropriation, to eligible nurse educators.

Section 10-10. Award; maximum time period; maximum amount. Subject to appropriation, the Commission shall award a grant to each qualified applicant for a maximum of 4 years. The amount of this grant shall not exceed \$5,000 per year. The Commission shall encourage the recipient of a grant awarded under the program to use the grant award for payment of the recipient's educational loan.

Section 10-15. Application. All applications for grant assistance under the program shall be made to the Commission in a form and manner prescribed by the Commission. Applicants shall also submit any supporting documents deemed necessary by the Commission at the time of application.

Section 10-20. Eligibility.

(a) The Commission shall, on an annual basis, receive and consider applications for grant assistance under the program. An applicant is eligible for a grant under the program if the Commission finds that the applicant:

(1) is a United States citizen or permanent resident;

(2) is a resident of Illinois;

(3) has worked for at least 12 consecutive months as a nurse educator in an approved program of professional or practical nursing education in Illinois;

(4) is a borrower with an outstanding balance due on an educational loan; and

(5) has not defaulted on an educational loan.

(b) Preference may be given to previous recipients of a grant under the program, provided that the recipient continues to meet the eligibility requirements set forth in this Section.

(c) A recipient of a grant under the program must fulfill a separate 12-month period as a nurse educator in an approved

program of professional or practical nursing education in Illinois for each grant that he or she is awarded.

ARTICLE 15. NURSE EDUCATOR SCHOLARSHIP PROGRAM.

Section 15-5. Nurse Educator Scholarship Program. There is created, beginning July 1, 2006, the Nurse Educator Scholarship Program to be administered by the Illinois Student Assistance Commission. The program shall provide scholarship assistance until July 1, 2010, subject to appropriation, to eligible students for nursing-related graduate study.

Section 15-10. Scholarship award; maximum time period; maximum amount.

(a) Subject to appropriation, the Commission shall award a nurse educator scholarship to each qualified applicant in an amount sufficient to pay the tuition and fees of the Illinois institution of higher learning at which the recipient is enrolled, up to the current maximum amount of tuition and fees charged to students enrolled in an approved program of professional or practical nursing education at a public university.

(b) Scholarship recipients shall also receive a stipend, the amount of which shall not exceed \$10,000, to cover other costs of attendance, including, but not limited to, living expenses. Stipend amounts for recipients enrolled on less than a full-time basis shall be prorated by credit hour.

(c) A recipient may receive scholarship assistance under the program for the equivalent of 8 semesters or 16 quarters of full-time enrollment.

(d) The total amount of scholarship assistance awarded by the Commission under the program to an individual in any given fiscal year, when added to other financial assistance awarded to that individual for that year, may not exceed the cost of attendance at the institution of higher learning at which the student is enrolled.

Section 15-15. Application. All applications for a scholarship under the program shall be made to the Commission in a form and manner prescribed by the Commission. Applicants shall also submit any supporting documents deemed necessary by the Commission at the time of application.

Section 15-20. Eligibility.

(a) The Commission shall, on an annual basis until July 1, 2010, receive and consider applications for scholarship assistance under the program. An applicant is eligible for a scholarship under the program if the Commission finds that the applicant:

(1) is a United States citizen or permanent resident;

(2) is a resident of Illinois;

(3) is enrolled or accepted for enrollment on at least a half-time basis in an approved program of professional or practical nursing education at the graduate level at an Illinois institution of higher learning.

(b) Scholarship recipients shall be selected from among eligible applicants based on a combination of academic excellence and financial need, as determined by the Commission.

(c) Preference may be given to previous recipients of a scholarship under the program, provided that the recipient continues to meet the eligibility requirements set forth in this Section and maintains satisfactory academic progress as determined by the institution of higher education at which he or she is enrolled.

(d) Prior to receiving scholarship assistance for an academic year, each recipient of a scholarship awarded under the program must sign an agreement pledging that, within the one-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient shall (i) begin working as an educator in an approved program of professional nursing education or an approved program of practical nursing education in Illinois for a period

of not less than 5 years and (ii) upon request of the Commission, provide the Commission with evidence that he or she is fulfilling or has fulfilled the terms of the work agreement required under this subsection (d).

Section 15-25. Payment to institution. All scholarship funds distributed under the program shall be paid to the institution on behalf of the scholarship recipient.

Section 15-30. Repayment upon default; exception.

(a) If a recipient of a scholarship awarded under this Section fails to fulfill the work agreement required under the program, the Commission shall require the recipient to repay the amount of the scholarship or scholarships received, prorated according to the fraction of the work agreement not completed, plus interest at a rate of 5% and, if applicable, reasonable collection fees.

(b) Payments received by the Commission under this Section shall be remitted to the State Comptroller for deposit into the General Revenue Fund, except that that portion of a recipient's repayment that equals the amount in expenses that the Commission has reasonably incurred in attempting collection from that recipient shall be remitted to the State Comptroller for deposit into the Commission's Accounts Receivable Fund.

(c) A recipient of a scholarship awarded by the Commission under the program shall not be in violation of the agreement entered into pursuant to this Article if the recipient is (i) serving as a member of the armed services of the United States, (ii) temporarily totally disabled, as established by a sworn affidavit of a qualified physician, (iii) seeking and unable to find full-time employment as a nursing educator and is able to provide evidence of that fact, or (iv) taking additional courses, on at least a half-time basis, related to nursing education. Any extension of the period during which the work requirement must be fulfilled shall be subject to limitations of duration established by the Commission.

ARTICLE 90. AMENDATORY PROVISIONS.

Section 90-2. The State Finance Act is amended by changing and renumbering Section 5.570, as added by Public Act 92-589, as follows:

(30 ILCS 105/5.569)

Sec. 5.569 ~~5.570~~. The National Guard and Naval Militia Grant Fund.

(Source: P.A. 92-589, eff. 7-1-02; revised 8-27-02.)

Section 90-5. The Board of Higher Education Act is amended by adding Sections 9.31 and 9.32 as follows:

(110 ILCS 205/9.31 new)

Sec. 9.31. Competitive grants to nursing schools. In order to increase the number of nurses graduating from Illinois institutions of higher learning, the Board shall establish and administer a competitive grant program for institutions of higher learning that award degrees in nursing. The grants may be awarded on the basis of performance criteria that shall include, but not be limited to, degree production, student retention, and passage rates on professional licensure examinations.

The Board shall adopt those rules that are necessary for the implementation and administration of the grants established under this Section.

(110 ILCS 205/9.32 new)

Sec. 9.32. Nurse educator fellowship program. In order to ensure the retention of well-qualified nursing faculty, the Board shall establish and administer a nurse educator fellowship program that supplements nursing faculty salaries at institutions of higher learning that award degrees in nursing. Fellowships awarded under the program may be awarded

on a competitive basis.

The Board shall adopt those rules that are necessary for the implementation and administration of the fellowship program established under this Section.

Section 90-8. The Higher Education Student Assistance Act is amended by changing Section 45 and by adding Section 65.80 as follows:

(110 ILCS 947/45)

Sec. 45. Illinois National Guard and Naval Militia grant program.

(a) As used in this Section:

"State controlled university or community college" means those institutions under the administration of the Chicago State University Board of Trustees, the Eastern Illinois University Board of Trustees, the Governors State University Board of Trustees, the Illinois State University Board of Trustees, the Northeastern Illinois University Board of Trustees, the Northern Illinois University Board of Trustees, the Western Illinois University Board of Trustees, Southern Illinois University Board of Trustees, University of Illinois Board of Trustees, or the Illinois Community College Board.

"Tuition and fees" shall not include expenses for any sectarian or denominational instruction, the construction or maintenance of sectarian or denominational facilities, or any other sectarian or denominational purposes or activity.

"Fees" means matriculation, graduation, activity, term, or incidental fees. Exemption shall not be granted from any other fees, including book rental, service, laboratory, supply, and union building fees, hospital and medical insurance fees, and any fees established for the operation and maintenance of buildings, the income of which is pledged to the payment of interest and principal on bonds issued by the governing board of any university or community college.

(b) Any person who has served at least one year in the

Illinois National Guard or the Illinois Naval Militia and who possesses all necessary entrance requirements shall, upon application and proper proof, be awarded a grant to the State-controlled university or community college of his or her choice, consisting of exemption from tuition and fees for not more than the equivalent of 4 years of full-time enrollment, including summer terms, in relation to his or her course of study at that State controlled university or community college while he or she is a member of the Illinois National Guard or the Illinois Naval Militia. Except as otherwise provided in this Section, if the recipient of any grant awarded under this Section ceases to be a member of the Illinois National Guard or the Illinois Naval Militia while enrolled in a course of study under that grant, the grant shall be terminated as of the date membership in the Illinois National Guard or the Illinois Naval Militia ended, and the recipient shall be permitted to complete the school term in which he or she is then enrolled only upon payment of tuition and other fees allocable to the part of the term then remaining. If the recipient of a grant awarded under this Section ceases to be a member of the Illinois National Guard or the Illinois Naval Militia while enrolled in a course of study under that grant but (i) has served in the Illinois National Guard or the Illinois Naval Militia for at least 5 years and (ii) has served a cumulative total of at least 6 months of active duty, then that recipient shall continue to be eligible for a grant for one year after membership in the Illinois National Guard or the Illinois Naval Militia ended, provided that the recipient has not already received the exemption from tuition and fees for the equivalent of 4 years of full-time enrollment, including summer terms, under this Section. If the recipient of the grant fails to complete his or her military service obligations or requirements for satisfactory participation, the Department of Military Affairs shall require the recipient to repay the amount of the grant received, prorated according to the fraction of the service obligation not completed, and, if applicable, reasonable

collection fees. The Department of Military Affairs may adopt rules relating to its collection activities for repayment of the grant under this Section. Unsatisfactory participation shall be defined by rules adopted by the Department of Military Affairs. Repayments shall be deposited in the National Guard and Naval Militia Grant Fund. The National Guard and Naval Militia Grant Fund is created as a special fund in the State treasury. All money in the National Guard and Naval Militia Grant Fund shall be used, subject to appropriation, by the Illinois Student Assistance Commission for the purposes of this Section.

A grant awarded under this Section shall be considered an entitlement which the State-controlled university or community college in which the holder is enrolled shall honor without any condition other than the holder's maintenance of minimum grade levels and a satisfactory student loan repayment record pursuant to subsection (c) of Section 20 of this Act.

(c) Subject to a separate appropriation for such purposes, the Commission may reimburse the State-controlled university or community college for grants authorized by this Section.

(Source: P.A. 93-838, eff. 7-30-04; 93-856, eff. 8-3-04; 94-583, eff. 8-15-05.)

(110 ILCS 947/65.80 new)

Sec. 65.80. Forensic science grant program.

(a) In order to encourage graduate students to enter the field of forensic science and continue their careers as forensic scientists with the Department of State Police in one of the specialty areas of forensic sciences that is considered a shortage specialty area, the Commission shall, subject to appropriation, establish and administer a forensic science grant program.

(b) A qualified applicant may receive a maximum grant amount of \$30,000 to cover those expenses related to the forensic science program in which he or she is enrolled.

(c) The Commission shall, on an annual basis until July 1,

2010, receive and consider applications for grant assistance under the program. An applicant is eligible for a grant under the program if the Commission finds that the applicant:

(1) is a United States citizen or permanent resident;

(2) is a resident of Illinois or will be a resident of Illinois upon completion of the forensic science program;

(3) is enrolled on a full-time basis in a minimum one-year program that combines graduate education with training in a specific forensic discipline in a manner equivalent to the Department of State Police's new examiner training so as to prepare him or her to do casework; and

(4) meets or will meet all of the evaluation criteria required by the Department of State Police for employment.

(d) Prior to receiving grant assistance for an academic year, each recipient shall be required by the Commission to sign an agreement under which the recipient pledges to seek employment as a forensic scientist with the Department of State Police and, if such employment is obtained, to continue as an employee of the Department of State Police for a minimum period of 4 years. If a recipient of a grant under this Section fails to fulfill the employment obligation, the Commission shall require that the recipient repay the amount of the grant award, prorated according to the fraction of the obligation not completed, plus interest at a rate of 5% and, if applicable, reasonable collection fees, as established by the Commission.

(e) A recipient of a grant award under this Section shall not be in violation of the agreement entered into pursuant to subsection (d) of this Section if the Department of State Police is unable to offer employment to the recipient. The Commission may adopt rules relating to other conditions under which a recipient is not considered to be in violation of the agreement entered into pursuant to subsection (d) of this Section. Any extension of the period during which the employment requirement under subsection (d) of this Section must be fulfilled shall be subject to the limitations of duration established by the Commission.

(f) The Commission and the Department of State Police shall adopt all rules that are necessary for the implementation and administration of this Section.

Section 90-10. The Nursing Education Scholarship Law is amended by changing Section 5 as follows:

(110 ILCS 975/5) (from Ch. 144, par. 2755)

Sec. 5. Nursing education scholarships. Beginning with the fall term of the 2004-2005 academic year, the Department, in accordance with rules and regulations promulgated by it for this program, shall provide scholarships to individuals selected from among those applicants who qualify for consideration by showing:

(1) that he or she has been a resident of this State for at least one year prior to application, and is a citizen or a lawful permanent resident alien of the United States;

(2) that he or she is enrolled in or accepted for admission to an associate degree in nursing program, hospital-based diploma in nursing program, baccalaureate degree in nursing program, graduate degree in nursing program, or practical nursing program at an approved institution; and

(3) that he or she agrees to meet the nursing employment obligation.

If in any year the number of qualified applicants exceeds the number of scholarships to be awarded, the Department shall, in consultation with the Center for Nursing Advisory Board, consider the following factors in granting ~~give~~ priority in awarding scholarships:

(A) Financial ~~To students in the greatest financial~~ need, as shown on a standardized financial needs assessment form used by an approved institution, of students who will pursue their education on a full-time or close ~~closest~~ to full-time basis and who

already have a certificate in practical nursing, a diploma in nursing, or an associate degree in nursing and are pursuing a higher degree.

(B) A student's status as a ~~To~~ registered nurse who is ~~nurses~~ pursuing a graduate degree in nursing to pursue employment in an approved institution that educates licensed practical nurses and that educates registered nurses in undergraduate and graduate nursing programs.

(C) A student's merit, as shown through his or her grade point average, class rank, and other academic and extracurricular activities. The Department may add to and further define these merit criteria by rule.

Unless otherwise indicated, scholarships shall be awarded to recipients at approved institutions for a period of up to 2 years if the recipient is enrolled in an associate degree in nursing program, up to 3 years if the recipient is enrolled in a hospital-based diploma in nursing program, up to 4 years if the recipient is enrolled in a baccalaureate degree in nursing program, up to 5 years if the recipient is enrolled in a graduate degree in nursing program, and up to one year if the recipient is enrolled in a certificate in practical nursing program. At least 40% of the scholarships awarded shall be for recipients who are pursuing baccalaureate degrees in nursing, 30% of the scholarships awarded shall be for recipients who are pursuing associate degrees in nursing or a diploma in nursing, 10% of the scholarships awarded shall be for recipients who are pursuing a certificate in practical nursing, and 20% of the scholarships awarded shall be for recipients who are pursuing a graduate degree in nursing.

(Source: P.A. 92-43, eff. 1-1-02; 93-879, eff. 1-1-05.)

Section 90-15. The Nursing and Advanced Practice Nursing Act is amended by changing Section 10-10 and by adding Title 17 as follows:

(225 ILCS 65/10-10)

(Section scheduled to be repealed on January 1, 2008)

Sec. 10-10. Department powers and duties.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for administration of licensing acts and shall exercise other powers and duties necessary for effectuating the purpose of this Act. None of the functions, powers, or duties of the Department with respect to licensure and examination shall be exercised by the Department except upon review by the Board. The Department shall adopt rules to implement, interpret, or make specific the provisions and purposes of this Act; however no such rules shall be adopted by the Department except upon review by the Board.

(b) The Department shall:

(1) prepare and maintain a list of approved programs of professional nursing education and programs of practical nursing education in this State, whose graduates, if they have the other necessary qualifications provided in this Act, shall be eligible to apply for a license to practice nursing in this State;

(2) promulgate rules defining what constitutes an approved program of professional nursing education and what constitutes an approved program of practical nursing education; and

(3) adopt rules for examination of candidates for licenses and for issuance of licenses authorizing candidates upon passing an examination to practice under this Act.

(c) The Department may act upon the recommendations of the Center for Nursing Advisory Board.

(Source: P.A. 90-742, eff. 8-13-98.)

(225 ILCS 65/Tit. 17 heading new)

(Title heading scheduled to be repealed on January 1, 2008)

TITLE 17. ILLINOIS CENTER FOR NURSING

(225 ILCS 65/17-5 new)

(Section scheduled to be repealed on January 1, 2008)

Sec. 17-5. Definitions. In this Title:

"Board" means the Center for Nursing Advisory Board.

"Center" means the Illinois Center for Nursing.

(225 ILCS 65/17-10 new)

(Section scheduled to be repealed on January 1, 2008)

Sec. 17-10. Illinois Center for Nursing. There is created the Illinois Center for Nursing to address issues of supply and demand in the nursing profession, including issues of recruitment, retention, and utilization of nurse manpower resources. The General Assembly finds that the Center will enhance the delivery of quality health care services by providing an ongoing strategy for the allocation of the State's resources directed towards nursing. Each of the following objectives shall serve as the primary goals for the Center:

(1) To develop a strategic plan for nursing manpower in Illinois by selecting priorities that must be addressed.

(2) To convene various groups of representatives of nurses, other health care providers, businesses and industries, consumers, legislators, and educators to:

(A) review and comment on data analysis prepared for the Center;

(B) recommend systemic changes, including strategies for implementation of recommended changes; and

(C) evaluate and report the results of the Board's efforts to the General Assembly and others.

(3) To enhance and promote recognition, reward, and renewal activities for nurses in Illinois by:

(A) proposing and creating reward, recognition, and renewal activities for nursing; and

(B) promoting media and positive image-building efforts for nursing.

(225 ILCS 65/17-15 new)

(Section scheduled to be repealed on January 1, 2008)

Sec. 17-15. Center for Nursing Advisory Board.

(a) There is created the Center for Nursing Advisory Board, which shall consist of 11 members appointed by the Governor, with 6 members of the Board being nurses representative of various nursing specialty areas. The other 5 members may include representatives of associations, health care providers, nursing educators, and consumers. The Board shall be chaired by the Nursing Act Coordinator, who shall be a voting member of the Board.

(b) The membership of the Board shall reasonably reflect representation from the geographic areas in this State.

(c) Members of the Board appointed by the Governor shall serve for terms of 4 years, with no member serving more than 10 successive years, except that, initially, 4 members shall be appointed to the Board for terms that expire on June 30, 2009, 4 members shall be appointed to the Board for terms that expire on June 30, 2008, and 3 members shall be appointed to the Board for terms that expire on June 30, 2007. A member shall serve until his or her successor is appointed and has qualified. Vacancies shall be filled in the same manner as original appointments, and any member so appointed shall serve during the remainder of the term for which the vacancy occurred.

(d) A quorum of the Board shall consist of a majority of Board members currently serving. A majority vote of the quorum is required for Board decisions. A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the Board.

(e) The Governor may remove any appointed member of the Board for misconduct, incapacity, or neglect of duty and shall be the sole judge of the sufficiency of the cause for removal.

(f) Members of the Board are immune from suit in any action based upon any activities performed in good faith as members of the Board.

(e) Members of the Board shall not receive compensation, but shall be reimbursed for actual traveling, incidentals, and expenses necessarily incurred in carrying out their duties as members of the Board, as approved by the Department.

(225 ILCS 65/17-20 new)

(Section scheduled to be repealed on January 1, 2008)

Sec. 17-20. Powers and duties of the Board.

(a) The Board shall be advisory to the Department and shall possess and perform each of the following powers and duties:

(1) determine operational policy;

(2) administer grants, scholarships, internships, and other programs, as defined by rule, including the administration of programs, as determined by law, that further those goals set forth in Section 17-10 of this Title, in consultation with other State agencies, as provided by law;

(3) establish committees of the Board as needed;

(4) recommend the adoption and, from time to time, the revision of those rules that may be adopted and necessary to carry out the provisions of this Act;

(5) implement the major functions of the Center, as established in the goals set forth in Section 17-10 of this Title; and

(6) seek and accept non-State funds for carrying out the policy of the Center.

(b) The Center shall work in consultation with other State agencies as necessary.

ARTICLE 99. EFFECTIVE DATE.

Section 99-99. Effective date. This Act takes effect upon becoming law.