

**\*\*\*Not Germane\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 2373**

**By Senator(s) Dawkins, Williamson**

1           **AMEND** by inserting the following after line 346 and  
2 **renumbering subsequent subsections:**

3           **SECTION \*.** Section 37-143-9, Mississippi Code of 1972, is  
4 amended as follows:

5           37-143-9. (1) This section shall be known and may be cited  
6 as the "Mississippi Nursing Shortage Reduction Act of 2003."

7           (2) The Legislature finds that:

8                 (a) Mississippi is experiencing a significant shortage  
9 in the registered and licensed practical nurses it needs;

10                (b) The health care needs of Mississippi's growing  
11 elderly population create a need for more registered and licensed  
12 practical nurses;

13                (c) Mississippi's nurse work force is aging, and as  
14 nurses retire in increasing numbers, educating more registered and  
15 licensed practical nurses is critical;

16                (d) The health care industry plays an important role in  
17 the Mississippi economy and an adequate nursing work force is an  
18 essential component of the health care industry; and

19                (e) It is necessary to increase the number of  
20 registered and licensed practical nurses in the state to protect  
21 the health, safety and welfare of the public. It is the purpose  
22 of this section to establish a program to increase the ability of  
23 professional nursing educational programs to prepare the

24 registered and licensed practical nurses that the state of  
25 Mississippi needs, to encourage persons to enter the nursing  
26 profession or to teach in a nursing program, and to enhance the  
27 nursing work force data center to address issues of supply and  
28 demand in nursing.

29 (3) In this subsection (3), "professional nursing program"  
30 means an education program for preparing students for initial  
31 licensure as registered nurses or licensed practical nurses. A  
32 professional nursing shortage reduction program is hereby  
33 established. The Board of Trustees of State Institutions of  
34 Higher Learning shall administer the professional nursing shortage  
35 reduction program to make grants to professional nursing programs  
36 and other entities involved with a professional nursing program in  
37 the preparation of students for initial licensure as registered  
38 nurses or licensed practical nurses in order to increase the  
39 number and types of nurses to meet the needs for nursing services  
40 in the state. A grant from the professional nursing shortage  
41 reduction program to a professional nursing program or other  
42 entity involved with a professional nursing program in the  
43 preparation of students for initial licensure as registered nurses  
44 or licensed practical nurses must be:

45 (a) Expended exclusively on costs related to (i)  
46 enrolling additional students; (ii) assuring the retention of an  
47 adequate number of qualified faculty, including providing faculty  
48 salaries; or (iii) encouraging innovation in the recruitment and  
49 retention of students, including the recruitment and retention of  
50 bilingual students;

51 (b) Contingent on the professional nursing program's  
52 having been approved by the Board of Trustees of State  
53 Institutions of Higher Learning pursuant to Section 37-129-1, or  
54 the State Department of Education through the Division of  
55 Vocational Education, as appropriate, or by an appropriate  
56 accrediting agency, and that such program is not on probation; and

57 (c) If granted to increase enrollments, contingent on  
58 the professional nursing program's ability to enroll additional

59 students, including having the necessary classroom space and  
60 clinical slots. The board shall adopt rules and regulations for  
61 the administration of the professional nursing shortage reduction  
62 program. The board shall grant funds under this subsection (3) in  
63 an equitable manner among the various types of professional  
64 nursing programs, in a manner that best promotes innovation in the  
65 recruitment and retention of nursing students. In addition to  
66 funds appropriated by the Legislature for this purpose, the board  
67 may solicit, receive and expend grants, gifts and donations from  
68 public or private sources for the purposes of this subsection (3).  
69 Each professional nursing program participating in this  
70 subsection (3) shall submit an annual report to the board  
71 detailing its strategy for increasing the number of students that  
72 graduate from the program prepared for licensure as registered  
73 nurses or licensed practical nurses, which shall include the  
74 capacity of the program to graduate more students prepared for  
75 licensure, and the resources allocated to increase the number of  
76 students that graduate from the program prepared for licensure.

77 (4) Any institution of higher learning in Mississippi shall  
78 permit a registered nurse licensed in Mississippi to register by  
79 paying the tuition, fees and other charges required for  
80 Mississippi residents without regard to the length of time the  
81 registered nurse has resided in Mississippi, if the registered  
82 nurse (a) is enrolled in a program designed to lead to a master's  
83 degree or other higher degree in nursing, and (b) signs a  
84 statement declaring an intention to teach in a program in  
85 Mississippi designed to prepare students for licensure as  
86 registered nurses or licensed practical nurses.

87 (5) There is created a program for advanced study in  
88 nursing. Scholarships are established and shall be allocated to  
89 students who: (a) have graduated from an accredited high school  
90 and from a school of nursing and are licensed registered nurses in  
91 Mississippi; and (b) are approved by the Board of Trustees of  
92 State Institutions of Higher Learning; and (c) enter into contract  
93 with the board of trustees and its successors in office,

94 obligating themselves to pursue to completion the course of study  
95 agreed upon, and immediately following the completion of such  
96 work, to spend a period of time, equal to the period of study  
97 provided under the scholarship, in teaching nursing at any  
98 accredited school of nursing in Mississippi, approved by the board  
99 of trustees, or in performing other work in the interest of public  
100 health in the state, to be approved by the board of trustees.  
101 Such period of service, after completion of study under a  
102 scholarship, shall in no event be less than one (1) year.

103         In addition to a scholarship, any such student may be  
104 allocated a loan not to exceed One Thousand Five Hundred Dollars  
105 (\$1,500.00) per month for each month of full-time study in a  
106 graduate nursing program. The repayment of the principal and  
107 interest of such loans shall be eligible for deferment during  
108 attendance as a full-time student in an approved program for  
109 advanced study in an accredited school of nursing. For any  
110 student who receives this loan, the student's contract with the  
111 board of trustees shall obligate the student, immediately  
112 following completion of the course of study, to repay the loan by  
113 teaching nursing for not less than two (2) years at any accredited  
114 school of nursing in Mississippi approved by the board of  
115 trustees. Such teaching service shall convert the loan to an  
116 interest-free scholarship, and discharge the same, on the basis of  
117 two (2) years of service for one-year's loan amount, or the  
118 appropriate proportion of the total outstanding balance of  
119 principal and interest, all as established by rule and regulation  
120 of the board of trustees. Any such student who fails to complete  
121 all of the teaching service obligation shall be liable to the  
122 board of trustees for the remaining balance of the principal and  
123 interest that remains undischarged.

124         The board of trustees shall establish such rules and  
125 regulations as it deems necessary and proper to carry out the  
126 purposes and intent of this subsection (5).

127         (6) The Board of Trustees of State Institutions of Higher  
128 Learning shall establish and administer, using funds appropriated

129 for that purpose or from other public or private sources, a  
130 matching fund program under which a person, hospital, clinic,  
131 physician or other business entity may sponsor a nursing student  
132 in a program preparing the student for initial licensure as a  
133 register nurse or licensed nurse practitioner or for graduate  
134 nursing degree study, by contributing to the costs of the  
135 student's education or loan repayments for such student's  
136 education, and having that contribution matched in whole or in  
137 part by state funds appropriated for that purpose or by other  
138 public or private sources. A scholarship or loan repayment  
139 matching fund program established under this subsection (6) shall  
140 be established and administered in a manner that the board  
141 determines best promotes the health care and educational needs of  
142 this state. The board may establish multiple categories of  
143 persons to receive scholarships, matching funds and loan repayment  
144 funds. The board may include faculty from professional nursing  
145 programs with master's degrees or doctorates among the categories  
146 of persons authorized to receive loan repayments. The criteria  
147 for selecting persons to be assisted under each category may  
148 include: (a) scholastic ability and performance; (b) financial  
149 need; (c) the geographical area in which the person is likely to  
150 practice; (d) whether the person receives TANF or other public  
151 assistance; (e) employment by a state agency; (f) employment on a  
152 nursing school faculty or a person's intention to seek employment  
153 on a nursing school faculty; (g) whether the person is practicing  
154 in a geographical area, a practice setting, or an area of practice  
155 with an acute nursing shortage or is likely to practice in such an  
156 area; (h) the type of certificate or academic degree held or  
157 pursued; or (i) any additional factors the board considers  
158 relevant to promoting the health care and educational needs of the  
159 state. The board shall adopt rules relating to the establishment  
160 and administration of the matching fund program providing for (a)  
161 eligibility criteria for sponsors and for students; (b) the  
162 minimum and maximum sponsor contributions that will be matched;  
163 (c) conflict resolution procedures for resolving disputes between

164 the sponsor and the student; and (d) a standard agreement for use  
165 by the sponsor and the student. The board shall distribute  
166 information about the scholarship program, matching fund program  
167 and loan repayment program established under this subsection (6)  
168 to employers of nurses, associations of employers of nurses,  
169 professional associations of nurses and schools and institutions  
170 of higher learning. The board shall act as a clearinghouse for  
171 nursing education programs and health care providers to identify  
172 sites available for employers and students.

173 (7) The board may structure the scholarship programs, the  
174 matching fund programs and the loan repayment programs established  
175 under this section to secure funds available under federal  
176 matching programs or other public and nonpublic matching programs.  
177 The board shall give priority in awarding grants to institutions  
178 proposing to address the shortage of nurses by promoting  
179 innovation in recruitment and retention of nursing students and  
180 faculty, and to institutions seeking to increase enrollments in  
181 their nursing programs through financial incentives to faculty to  
182 provide clinical and classroom instruction in addition to carrying  
183 a full teaching load.

184 **SECTION \*.** Section 73-15-18, Mississippi Code of 1972, is  
185 amended as follows:

186 73-15-18. (1) The Mississippi Board of Nursing is  
187 designated as the state agency responsible for the administration  
188 and supervision of the Nursing Workforce Program as an educational  
189 curriculum in the State of Mississippi. It is the intent of the  
190 Legislature to develop a nursing work force able to carry out the  
191 scope of service and leadership tasks required of the profession  
192 by promoting a strong educational infrastructure between nursing  
193 practice and nursing education.

194 (2) The Mississippi Board of Nursing is authorized to  
195 establish an Office of Nursing Workforce within the administrative  
196 framework of the board for the purpose of providing coordination  
197 and consultation to nursing education and practice. The Nursing  
198 Workforce Program shall encompass six (6) interdependent

199 components:

200           (a) Collect data on nurses and other nursing personnel,  
201 including demographics, areas of practice supply demand and  
202 migration on an appropriate regional basis, to predict supply and  
203 demand for nursing personnel in Mississippi, and submit such data  
204 to the Board of Trustees of State Institutions of Higher Learning  
205 for purposes of the administration of the nursing shortage  
206 reduction scholarship, matching grant and loan repayment programs  
207 authorized under Section 37-143-9, Mississippi Code of 1972. The  
208 Nursing Workforce Program shall submit on a quarterly basis to the  
209 Board of Trustees of State Institutions of Higher Learning data  
210 regarding the education and employment trends for nursing  
211 personnel, the supply of and demand for nursing personnel, and  
212 other issues concerning nursing in the state as requested by the  
213 board.

214           (b) Develop and implement a state educational program  
215 directed toward nursing educators regarding health care delivery  
216 system changes resulting from managed care, case management and  
217 capitated health finance systems and the impact these changes will  
218 have on curriculum and on the retraining needs of nurses.

219           (c) Determine the continuing education needs of the  
220 nursing work force in an environment of restructuring from the  
221 hospital-bed-side setting to the home health and community  
222 practice settings, and implement such continuing education  
223 coursework through the university/college schools of nursing in  
224 the state and the community/junior college nursing programs in the  
225 state.

226           (d) Promote and coordinate through the schools of  
227 nursing opportunities for nurses prepared at the associate degree  
228 and bachelor degree levels to obtain higher degrees.

229           (e) Apply for and administer grants from public and  
230 private sources for the development of the Nursing Workforce  
231 Program prescribed in this section.

232           (f) Establish systems to ensure an adequate supply of  
233 nurses to meet the health care needs of the citizens of

234 Mississippi. This will include, but is not limited to, gathering  
235 and quantifying dependable data on current nursing work force  
236 capacities and forecasting future requirements. The Office of  
237 Nursing Workforce will report its findings annually to the Board  
238 of Trustees of State Institutions of Higher Learning and the  
239 Mississippi Legislature.

240 (3) Pursuant to the provisions of subsections (1) and (2),  
241 the Board of Nursing is authorized to provide for the services of  
242 an Office of Nursing Workforce Director and such other  
243 professional and nonprofessional staff as may be needed and as  
244 funds are available to the Board of Nursing to implement the  
245 Nursing Workforce Program prescribed in this section. It shall be  
246 the responsibility of such professional staff to coordinate  
247 efforts of the Board of Trustees of State Institutions of Higher  
248 Learning, the bachelor degree schools of nursing, the associate  
249 degree schools of nursing and other appropriate agencies in the  
250 State of Mississippi to implement the Nursing Workforce Program.

251 (4) The Board of Nursing shall appoint a Nursing Workforce  
252 Advisory Committee composed of health care professionals, health  
253 agency administrators, nursing educators and other appropriate  
254 individuals to provide technical advice to the Office of Nursing  
255 Workforce created in this section. The members of the committee  
256 shall be appointed by the Board of Nursing from a list of nominees  
257 submitted by appropriate nursing and health care organizations in  
258 the State of Mississippi. The members of the committee shall  
259 receive no compensation for their services, but may be reimbursed  
260 for actual travel expenses and mileage authorized by law for  
261 necessary committee business.

262 (5) All funds made available to the Board of Nursing for the  
263 purpose of nursing work force shall be administered by the board  
264 office for that purpose. The Board of Nursing is authorized to  
265 enter into contract with any private person, organization or  
266 entity capable of contracting for the purpose of administering  
267 this section.

268 (6) The Nursing Workforce Program and the Office of Nursing



269 Workforce provided for in this section will be established and  
270 implemented only if sufficient funds are appropriated to or  
271 otherwise available to the Board of Nursing for that purpose.

272         **SECTION \*.** Section 37-129-1, Mississippi Code of 1972, is  
273 amended as follows:

274         37-129-1. In addition to all other powers and duties now  
275 vested by law in the Board of Trustees of State Institutions of  
276 Higher Learning of the State of Mississippi, said board is hereby  
277 empowered and required to:

278             (a) Establish by rules and regulations and promulgate  
279 uniform standards for accreditation of schools of nursing in the  
280 State of Mississippi (1) insofar as concerns the eligibility of  
281 graduates of such schools to take the examination prescribed by  
282 law to become registered nurses authorized to practice the  
283 profession of nursing as registered nurses in Mississippi, and (2)  
284 insofar as concerns student nurses attending such schools being  
285 eligible to participate in any student nurse scholarship program  
286 or other program of assistance now existing or hereafter  
287 established by legislative enactment;

288             (b) Issue to such schools of nursing upon an annual  
289 basis certificates of accreditation as may be proper under such  
290 standards;

291             (c) Administer any scholarship program or other program  
292 of assistance heretofore or hereafter established by legislative  
293 enactment for the benefit of students attending accredited schools  
294 of nursing in this state, including specifically the provisions of  
295 Section 37-143-9, Mississippi Code of 1972, relating to the  
296 Mississippi Nursing Shortage Reduction Program, and the board  
297 shall be fully authorized to coordinate the provisions of Section  
298 37-143-9 with the State Department of Education through the  
299 Division of Vocational Education relating to associate degree  
300 nursing programs, and with the Nursing Workforce Program in the  
301 Mississippi Board of Nursing;

302             (d) Administer any other funds available or which may  
303 be made available for the promotion of nursing education in the

304 state, with the exception of nursing faculty supplement funds to  
305 the public junior colleges, which funds shall be appropriated to  
306 and administered by the Division of Junior Colleges of the State  
307 Department of Education, except as otherwise provided in Section  
308 37-143-9 for nursing shortage reduction program funds;

309 (e) Adopt rules and regulations to provide that a nurse  
310 in training may, during the two-year period in an approved  
311 hospital, be allowed to transfer at any time with full credit  
312 after six (6) months in training, to any other hospital of her  
313 choice at which there is a vacancy; suitable provision shall be  
314 made to protect her against coercion or intimidation concerning  
315 such a contemplated transfer.

316 In addition to other powers now vested by law in the Board of  
317 Trustees of State Institutions of Higher Learning, said board is  
318 hereby empowered to establish and maintain a nurse-midwifery  
319 education program that meets the accreditation standards of the  
320 American College of Nurse-Midwives at a state institution of  
321 higher learning under the jurisdiction of the board of trustees.

322 In order to implement subsection (d) above, the Board of  
323 Trustees of State Institutions of Higher Learning is hereby  
324 authorized and directed to arrange and contract with hospitals,  
325 senior colleges and hospital schools of nursing for the financial  
326 support of programs of nursing education. The said board is  
327 further authorized to adopt such terms for contracts, and such  
328 rules and regulations for reimbursing contracting agencies for  
329 costs of instruction in schools of nursing as may be feasible in  
330 accordance with appropriations made by the Legislature for this  
331 purpose. However, no reimbursement may be made to contracting  
332 agencies in excess of the actual cost of instruction in the  
333 schools of nursing.

334 No provision of this section shall be construed to authorize  
335 any department, agency, officer or employee of the State of  
336 Mississippi to exercise any controls over the admissions policy of  
337 any private educational institution offering a baccalaureate  
338 degree in nursing.

339           **FURTHER, AMEND the title by inserting the following after the**  
340 **semicolon on line 3:**  
341 TO AMEND SECTION 37-143-9, MISSISSIPPI CODE OF 1972, TO ESTABLISH  
342 A PROFESSIONAL NURSING SHORTAGE REDUCTION PROGRAM BY ESTABLISHING  
343 INCENTIVE SCHOLARSHIPS, LOAN REPAYMENTS AND GRANTS TO INCREASE  
344 ENROLLMENTS IN NURSING EDUCATION PROGRAMS AND INCREASING NURSING  
345 FACULTY; TO PROVIDE THAT REGISTERED NURSES IN POSTGRADUATE NURSING  
346 DEGREE PROGRAMS SHALL AUTOMATICALLY QUALIFY FOR RESIDENT TUITION;  
347 TO ESTABLISH A MATCHING FUND PROGRAM TO ALLOW A PRIVATE PERSON OR  
348 BUSINESS ENTITY TO SPONSOR A REGISTERED NURSING STUDENT OR  
349 LICENSED PRACTICAL NURSING STUDENT; TO AUTHORIZE THE BOARD OF  
350 TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO STRUCTURE THE  
351 SCHOLARSHIP PROGRAM, MATCHING FUND PROGRAM AND THE LOAN REPAYMENT  
352 PROGRAM TO SECURE ANY AVAILABLE FEDERAL OR PRIVATE GRANTS; TO  
353 AMEND SECTION 73-15-18, MISSISSIPPI CODE OF 1972, TO CLARIFY THE  
354 RESPONSIBILITIES OF THE OFFICE OF NURSING WORKFORCE WITH THE  
355 MISSISSIPPI BOARD OF NURSING; TO AMEND SECTION 37-129-1,  
356 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO;