

Senate Bill 246

By: Senators Hodges of the 3rd, Watson of the 1st, Hatchett of the 50th, Kennedy of the 18th, Tillery of the 19th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the
 2 Georgia Board of Health Care Workforce, so as to provide for student loan repayment for
 3 certain nursing faculty; to provide for definitions; to authorize the board to approve
 4 applications; to provide for eligibility requirements; to provide for continued eligibility
 5 requirements; to provide for student loan repayment agreements and conditions; to provide
 6 for rules and regulations; to provide for an appropriations contingency; to provide for related
 7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the Georgia
 11 Board of Health Care Workforce, is amended by adding a new Code section to read as
 12 follows:

13 "49-10-6.

14 (a) As used in this Code section, the term:

15 (1) 'Eligible applicant' means a person who:

16 (A) Is a legal resident of the State of Georgia as established by rules and regulations
 17 of the board;

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- 18 (B) Is a registered professional nurse duly licensed and authorized to practice in this
19 state under Article 1 of Chapter 26 of Title 43;
- 20 (C) Holds a master's or doctoral degree in nursing; and
- 21 (D) Is currently employed and has been employed for at least one year as a faculty
22 member of a nursing program at a postsecondary institution in this state in a position
23 that requires an advanced degree in professional nursing.
- 24 (2) 'Recipient' means an eligible applicant who applied for and was approved by the
25 board for student loan repayment under this Code section.
- 26 (3) 'Student loan' means debt incurred by an eligible applicant that is:
- 27 (A) Evidenced by a promissory note which required the funds received to be used to
28 pay for the cost of attendance for the undergraduate, graduate, or professional education
29 of the eligible applicant;
- 30 (B) Not in default at the time of application for repayment under this Code section; and
- 31 (C) Not subject to an existing service obligation or to repayment through another
32 student loan repayment or loan forgiveness program or as a condition of employment.
- 33 (b) The board shall have the authority to approve the applications of eligible applicants
34 submitted in accordance with rules and regulations established by the board governing the
35 student loan repayment application process.
- 36 (c) The board is authorized to provide for the repayment of student loans held by recipients
37 in consideration of the recipient serving as a faculty member of a nursing program.
- 38 (d)(1) Each recipient before being granted any student loan repayment shall enter into
39 a student loan repayment agreement with the board agreeing to the terms and conditions
40 upon which the student loan repayment is granted, including such terms and conditions
41 set forth in this Code section.
- 42 (2) The board shall have the power to terminate a student loan repayment agreement at
43 any time for any cause deemed sufficient by the board, provided that such power shall not
44 be arbitrarily or unreasonably exercised.

45 (e) Each student loan repayment agreement entered into under the authority granted in this
46 Code section shall:

47 (1) Provide for repayment of the recipient's student loans in a total amount to be
48 determined by the board, but not exceeding a maximum of \$100,000.00 or the total
49 student loan debt of the recipient, whichever is less, to be paid out in installments made
50 each 12 months over a term of not more than five years. A student loan repayment made
51 pursuant to this Code section shall be paid in such manner as the board shall establish by
52 rules and regulations;

53 (2) Provide that any payment made by the board under a student loan repayment
54 agreement shall be made in consideration of services rendered by the recipient as a
55 faculty member of a nursing program;

56 (3) Provide that the board shall make a payment toward the recipient's student loans, in
57 an amount set forth in the agreement, for each 12 months the recipient serves as a faculty
58 member of a nursing program during the term of the agreement; and

59 (4) Require that the recipient shall remain a legal resident of the state as established by
60 rules and regulations of the board; maintain licensure as a a registered professional nurse
61 under Article 1 of Chapter 26 of Title 43; and be employed as a faculty member of a
62 nursing program at all times during the term of the agreement.

63 (f) The board shall adopt such rules and regulations as are reasonable and necessary to
64 implement the provisions of this Code section.

65 (g) Student loan repayment for recipients having entered into a student loan repayment
66 agreement with the board pursuant to this Code section shall be contingent upon the
67 appropriation of funds by the General Assembly for the purposes of this Code section in
68 annual appropriations Acts of the General Assembly."

69 **SECTION 2.**

70 All laws and parts of laws in conflict with this Act are repealed.