

2012

STATE OF NEBRASKA

**STATUTES RELATING TO
NURSING FACULTY STUDENT LOAN ACT**



Department of Health and Human Services
Division of Public Health
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STATUTE INDEX

NURSING FACULTY STUDENT LOAN ACT

- 71-17,108. Act, how cited.
- 71-17,109. Terms, defined.
- 71-17,110. Loan; eligibility.
- 71-17,111. Loan distribution; conditions.
- 71-17,112. Nursing Faculty Student Loan Cash Fund; created; use; investment.
- 71-17,113. License renewal; extra fee.
- 71-17,114. Department; powers and duties.
- 71-17,115. Report required.
- 71-17,116. Rules and regulations.

STATUTES PERTAINING TO THE NURSING FACULTY STUDENT LOAN ACT

71-17,108. Act, how cited. Sections 71-17,108 to 71-17,116 shall be known and may be cited as the Nursing Faculty Student Loan Act.

Source: Laws 2005, LB 146, §1. Effective date September 4, 2005.

71-17,109. Terms, defined. For purposes of the Nursing Faculty Student Loan Act:

(1) Approved nursing program means a program offered by a public or private postsecondary educational institution in Nebraska (a) which consists of courses of instruction in regularly scheduled classes leading to a master of science degree, a bachelor of science degree, an associate degree, or a diploma in nursing or (b) for the preparation for licensure as a licensed practical nurse available to regularly enrolled undergraduate or graduate students;

(2) Department means the Department of Health and Human Services; and

(3) Masters or doctoral accredited nursing program means a postgraduate nursing education program that has been accredited by a nationally recognized accrediting agency and offered by a public or private postsecondary educational institution in Nebraska.

Source: Laws 2005, LB 146, § 2; Laws 2007, LB296, § 491. Operative date July 1, 2007.

71-17,110. Loan; eligibility. To qualify for a loan under the Nursing Faculty Student Loan Act, a student shall (1) be a resident of Nebraska, (2) be enrolled in a masters or doctoral accredited nursing program, and (3) agree in writing to engage in nursing instruction in an approved nursing program.

Source: Laws 2005, LB 146, §3. Effective date September 4, 2005.

71-17,111. Loan distribution; conditions. Loans may be made by the department under the Nursing Faculty Student Loan Act for educational expenses of a qualified student who agrees in writing to engage in nursing instruction in an approved nursing program for two years of full-time nursing instruction for each year a loan is received, with a maximum of six years of nursing instruction in Nebraska in return for three years of loans under the act. Loans shall be subject to the following conditions:

(1) Loans shall be used only for educational expenses for a masters or doctoral accredited nursing program. The use of loan funds by the recipient is subject to review by the department;

(2) Each loan shall be for one academic year;

(3) A loan recipient shall not receive more than five thousand dollars per academic year and shall not receive more than fifteen thousand dollars under the act;

(4) Loans shall be forgiven at the rate of five thousand dollars loaned per two years of full-time nursing instruction in Nebraska;

(5) If a loan recipient discontinues enrollment in the masters or doctoral accredited nursing program before completing the program, he or she shall repay to the department one hundred percent of the outstanding loan principal with simple interest at a rate of one point below the prime interest rate as of the date the loan recipient signed the contract. Interest shall accrue as of the date the loan recipient signed the contract. Such repayment shall commence within six months after the date he or she discontinues enrollment and shall be completed within the number of years for which loans were awarded;

(6) If, after the loan recipient completes the masters or doctoral accredited nursing program and before all of his or her loans are forgiven under the act, he or she fails to begin or ceases full-time nursing instruction pursuant to the loan agreement, he or she shall repay to the department one hundred twenty-five percent of the outstanding loan principal with simple interest at a rate of one point below the prime interest rate as of the date the loan recipient signed the contract. Interest shall accrue as of the date the loan recipient signed the contract. Such repayment shall commence within six months after the date of completion of the program or the date the loan recipient ceases full-time nursing instruction, whichever is later, and shall be completed within the number of years for which loans were awarded; and

(7) Institutions which offer a masters or doctoral accredited nursing program may act as agents of the department for the distribution of loans to eligible students.

Source: Laws 2005, LB 146, §4. Effective date September 4, 2005.

71-17,112. Nursing Faculty Student Loan Cash Fund; created; use; investment. The Nursing Faculty Student Loan Cash Fund is created. The fund shall consist of grants, private donations, fees collected pursuant to section 71-17,113, and loan repayments under the Nursing Faculty Student Loan Act remitted by the department to the State Treasurer for credit to the fund. The fund shall be used to administer the act and for loans to qualified students pursuant to the act. Any money in the Nursing Faculty Student Loan Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska

State Funds Investment Act.

Source: Laws 2005, LB 146, § 5; Laws 2006, LB 962, § 1. Effective date July 14, 2006.

71-17,113. License renewal; extra fee. Beginning January 1, 2006, through December 31, 2007, the department shall charge a fee of one dollar, in addition to any other fee, for each license renewal for a registered nurse or licensed practical nurse pursuant to the Nurse Practice Act. Such fee shall be collected at the time of renewal and remitted to the State Treasurer for credit to the Nursing Faculty Student Loan Cash Fund.

Source: Laws 2005, LB 146, § 6; Laws 2007, LB296, § 492; Laws 2007, LB463, § 1192. The changes made by LB 296 became operative July 1, 2007. The changes made by LB 463 became operative December 1, 2008.

71-17,114. Department; powers and duties. The department has the administrative responsibility to track loan recipients and to develop repayment tracking and collection mechanisms. The department may contract for such services. When a loan has been forgiven pursuant to section 71-17,111, the amount forgiven may be taxable income to the loan recipient and the department shall provide notification of the amount forgiven to the loan recipient, the Department of Revenue, and the Internal Revenue Service if required by the Internal Revenue Code as defined in section 49-801.01.

Source: Laws 2005, LB 146, §7. Effective date September 4, 2005.

71-17,115. Report required. The department shall annually provide a report to the Governor and the Clerk of the Legislature on the status of the program, the status of the loan recipients, and the impact of the program on the number of nursing faculty in Nebraska. The report submitted to the Clerk of the Legislature shall be submitted electronically. Any report which includes information about loan recipients shall exclude confidential information or any other information which specifically identifies a loan recipient.

Source: Laws 2005, LB 146, § 8; Laws 2012, LB782, § 113. Operative Date: July 19, 2012.

71-17,116. Rules and regulations. The department, in consultation with approved nursing programs in Nebraska, shall adopt and promulgate rules and regulations to carry out the Nursing Faculty Student Loan Act. The department may adopt rules that require the maximum forgiveness amount of fifteen thousand dollars pursuant to subdivision (3) of section 71-17,111 be present in the Nursing Faculty Student Loan Cash Fund before each qualified student is chosen.

Source: Laws 2005, LB 146, §9. Effective date September 4, 2005.