

SENATE BILL 696

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CF 2lr2220

By: **Senators Beidle, Augustine, Eckardt, Feldman, and Hershey**

Introduced and read first time: February 4, 2022

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Loan Assistance Repayment for Nurses and Nursing Workers –**
3 **Program Establishment and Funding**

4 FOR the purpose of establishing the Maryland Loan Assistance Repayment Program or
5 Nurses and Nursing Workers to assist certain nurses and nursing workers with the
6 repayment of certain education loans; establishing the Maryland Loan Assistance
7 Repayment Program Fund for Nurses and Nursing Workers; requiring the
8 Comptroller to distribute a certain amount of money of certain fees received by the
9 State Board of Nursing to make certain grants for the Program under certain
10 circumstances in certain years; requiring the Maryland Department of Health to
11 convene a certain stakeholder workgroup for a certain purpose; and generally
12 relating to the Maryland Loan Assistance Repayment Program for Nurses and
13 Nursing Workers.

14 BY adding to

15 Article – Health – General

16 Section 24–1801 through 24–1807 to be under the new subtitle “Subtitle 18.
17 Maryland Loan Assistance Repayment Program for Nurses and Nursing
18 Workers”

19 Annotated Code of Maryland

20 (2019 Replacement Volume and 2021 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Health Occupations

23 Section 8–206

24 Annotated Code of Maryland

25 (2021 Replacement Volume)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
27 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Health – General

SUBTITLE 18. MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR NURSES
AND NURSING WORKERS.

24-1801.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “EDUCATION LOAN” MEANS ANY LOAN THAT IS OBTAINED FOR TUITION, EDUCATIONAL EXPENSES, OR LIVING EXPENSES FOR STATE CERTIFICATION, UNDERGRADUATE, OR GRADUATE STUDY LEADING TO PRACTICE AS A NURSE OR NURSING WORKER.

(C) “FUND” MEANS THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FUND FOR NURSES AND NURSING WORKERS.

(D) “NURSE” INCLUDES:

(1) AN ADVANCED PRACTICE REGISTERED NURSE, AS DEFINED IN § 8-101(B) OF THE HEALTH OCCUPATIONS ARTICLE;

(2) A LICENSED PRACTICAL NURSE, AS DEFINED IN § 8-101(H) OF THE HEALTH OCCUPATIONS ARTICLE;

(3) A NURSE ANESTHETIST, AS DEFINED IN § 8-101(K) OF THE HEALTH OCCUPATIONS ARTICLE;

(4) A REGISTERED NURSE, AS DEFINED IN § 8-101(P) OF THE HEALTH OCCUPATIONS ARTICLE; AND

(5) A REGISTERED NURSE PRACTITIONER, AS DEFINED IN § 8-101(Q) OF THE HEALTH OCCUPATIONS ARTICLE.

(E) “NURSING WORKER” INCLUDES:

(1) A CERTIFIED MEDICATION TECHNICIAN, AS DEFINED IN § 8-6A-01(H) OF THE HEALTH OCCUPATIONS ARTICLE;

(2) A CERTIFIED MEDICINE AIDE, AS DEFINED IN § 8-6A-01(I) OF THE HEALTH OCCUPATIONS ARTICLE;

1 **(3) A CERTIFIED NURSING ASSISTANT, AS DEFINED IN § 8-6A-01(J)**
2 **OF THE HEALTH OCCUPATIONS ARTICLE; AND**

3 **(4) A GERIATRIC NURSING ASSISTANT, AS DEFINED IN § 8-6A-01(M)**
4 **OF THE HEALTH OCCUPATIONS ARTICLE.**

5 **(F) “PRIMARY CARE” INCLUDES:**

6 **(1) PRIMARY CARE;**

7 **(2) FAMILY MEDICINE;**

8 **(3) INTERNAL MEDICINE;**

9 **(4) OBSTETRICS;**

10 **(5) PEDIATRICS;**

11 **(6) GERIATRICS;**

12 **(7) EMERGENCY MEDICINE;**

13 **(8) WOMEN’S HEALTH;**

14 **(9) PSYCHIATRY; AND**

15 **(10) PREVENTIVE MEDICINE.**

16 **(G) “PROGRAM” MEANS THE MARYLAND LOAN ASSISTANCE REPAYMENT**
17 **PROGRAM FOR NURSES AND NURSING WORKERS.**

18 **24-1802.**

19 **(A) (1) THERE IS A MARYLAND LOAN ASSISTANCE REPAYMENT**
20 **PROGRAM FUND FOR NURSES AND NURSING WORKERS.**

21 **(2) THE FUND IS A CONTINUING, NONLAPSING FUND THAT IS NOT**
22 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

23 **(3) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
24 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

1 **(4) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME**
2 **MANNER AS OTHER STATE FUNDS.**

3 **(5) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO**
4 **THE FUND.**

5 **(B) THE FUND CONSISTS OF:**

6 **(1) REVENUE GENERATED THROUGH A PERMANENT FUNDING**
7 **STRUCTURE RECOMMENDED TO THE GENERAL ASSEMBLY BY A STAKEHOLDER**
8 **WORKGROUP CONVENED BY THE DEPARTMENT;**

9 **(2) ANY AVAILABLE FEDERAL FUNDS; AND**

10 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
11 **THE BENEFIT OF THE FUND.**

12 **(C) EXPENDITURES FROM THE FUND SHALL BE MADE BY AN**
13 **APPROPRIATION IN THE ANNUAL STATE BUDGET OR BY AN APPROVED BUDGET**
14 **AMENDMENT AS PROVIDED UNDER § 7-209 OF THE STATE FINANCE AND**
15 **PROCUREMENT ARTICLE.**

16 **(D) THE MONEY IN THE FUND SHALL BE USED BY THE OFFICE OF THE**
17 **COMPTROLLER TO ADMINISTER THE PROGRAM.**

18 **24-1803.**

19 **THERE IS A MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR**
20 **NURSES AND NURSING WORKERS.**

21 **24-1804.**

22 **(A) (1) IN THIS SECTION, “ELIGIBLE FIELD OF EMPLOYMENT” MEANS**
23 **EMPLOYMENT BY AN ORGANIZATION, AN INSTITUTION, AN ASSOCIATION, A SOCIETY,**
24 **OR A CORPORATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (4) OF**
25 **THE INTERNAL REVENUE CODE OF 1986.**

26 **(2) “ELIGIBLE FIELD OF EMPLOYMENT” INCLUDES EMPLOYMENT BY**
27 **THE STATE OR A LOCAL GOVERNMENT IN THE STATE.**

28 **(B) THE DEPARTMENT SHALL ASSIST IN THE REPAYMENT WITH THE FUNDS**
29 **TRANSFERRED TO THE DEPARTMENT BY THE COMPTROLLER UNDER § 8-206 OF**

1 THE HEALTH OCCUPATIONS ARTICLE OF THE AMOUNT OF EDUCATION LOANS OWED
2 BY A NURSE OR NURSING WORKER WHO:

3 (1) PRACTICES PRIMARY CARE IN AN ELIGIBLE FIELD OF
4 EMPLOYMENT IN A GEOGRAPHIC AREA OF THE STATE THAT HAS BEEN FEDERALLY
5 DESIGNATED; OR

6 (2) MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY THE
7 DEPARTMENT.

8 (C) ANY UNSPENT PORTIONS OF THE MONEY THAT IS TRANSFERRED TO THE
9 DEPARTMENT FOR USE UNDER THIS SUBTITLE FROM THE BOARD OF NURSING
10 FUND ESTABLISHED UNDER § 8-206 OF THE HEALTH OCCUPATIONS ARTICLE MAY
11 NOT BE TRANSFERRED TO OR REVERT TO THE GENERAL FUND OF THE STATE, BUT
12 SHALL REMAIN IN THE FUND MAINTAINED BY THE DEPARTMENT TO ADMINISTER
13 THE PROGRAM.

14 24-1805.

15 (A) IN ADDITION TO THE ASSISTANCE PROVIDED UNDER § 24-1804 OF THIS
16 SUBTITLE, THE DEPARTMENT MAY, SUBJECT TO THE AVAILABILITY OF MONEY IN
17 THE FUND AND SUBJECT TO APPLICABLE REGULATIONS, ASSIST IN THE REPAYMENT
18 OF AN EDUCATION LOAN OWED BY A NURSE OR NURSING WORKER WHO:

19 (1) PRACTICES A MEDICAL SPECIALTY THAT HAS BEEN IDENTIFIED
20 BY THE DEPARTMENT AS BEING IN SHORTAGE IN THE GEOGRAPHIC AREA OF THE
21 STATE WHERE THE NURSE OR NURSING WORKER PRACTICES THAT SPECIALTY; AND

22 (2) COMMITS TO PRACTICING IN THE AREA FOR A PERIOD OF TIME
23 DETERMINED BY THE DEPARTMENT.

24 (B) THE DEPARTMENT SHALL PRIORITIZE FUNDING FOR THE REPAYMENT
25 OF EDUCATION LOANS THROUGH THE PROGRAM IN THE FOLLOWING ORDER:

26 (1) NURSING WORKERS WHO MEET THE REQUIREMENTS UNDER §
27 24-1804(B) OF THIS SUBTITLE;

28 (2) NURSES AND NURSING WORKERS PRACTICING PRIMARY CARE IN
29 A GEOGRAPHIC AREA WHERE THE DEPARTMENT HAS IDENTIFIED A SHORTAGE OF
30 NURSES AND NURSING WORKERS; AND

1 **(3) NURSES AND NURSING WORKERS PRACTICING A MEDICAL**
2 **SPECIALTY OTHER THAN PRIMARY CARE IN A GEOGRAPHIC AREA WHERE THE**
3 **DEPARTMENT HAS IDENTIFIED A SHORTAGE OF THAT SPECIALTY.**

4 **24-1806.**

5 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**
6 **PROVISIONS OF THIS SUBTITLE, INCLUDING REGULATIONS THAT:**

7 **(1) ESTABLISH THE MAXIMUM NUMBER OF PARTICIPANTS IN THE**
8 **PROGRAM EACH YEAR IN EACH PRIORITY AREA DESCRIBED UNDER § 24-1805 OF**
9 **THIS SUBTITLE; AND**

10 **(2) ESTABLISH THE MINIMUM AND MAXIMUM AMOUNT OF LOAN**
11 **REPAYMENT ASSISTANCE AWARDED UNDER THIS SUBTITLE IN EACH PRIORITY AREA**
12 **DESCRIBED UNDER § 24-1805 OF THIS SUBTITLE.**

13 **24-1807.**

14 **ON OR BEFORE OCTOBER 1, 2023, AND EACH OCTOBER 1 THEREAFTER, THE**
15 **DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH**
16 **§ 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON:**

17 **(1) THE ELIGIBLE NURSES AND NURSING WORKERS WHO APPLIED**
18 **FOR THE PROGRAM, INCLUDING INFORMATION ON:**

19 **(I) THE SPECIALTY OF THE NURSE OR NURSING WORKER;**

20 **(II) THE TYPE AND LOCATION OF THE SITE IN WHICH THE**
21 **NURSE OR NURSING WORKER PROVIDED SERVICES; AND**

22 **(III) THE GEOGRAPHIC AREA SERVED BY THE NURSE OR**
23 **NURSING WORKER; AND**

24 **(2) THE NURSES AND NURSING WORKERS WHO PARTICIPATED IN THE**
25 **PROGRAM, INCLUDING INFORMATION ON:**

26 **(I) THE AMOUNT OF ASSISTANCE PROVIDED TO EACH**
27 **PARTICIPANT;**

28 **(II) THE SPECIALTY OF THE PARTICIPANT;**

1 **(III) THE TYPE AND LOCATION OF THE SITE IN WHICH THE**
2 **PARTICIPANT PROVIDED SERVICES; AND**

3 **(IV) THE GEOGRAPHIC AREA SERVED BY THE PARTICIPANT.**

4 **Article – Health Occupations**

5 8–206.

6 (a) There is a Board of Nursing Fund.

7 (b) (1) The Board may set reasonable fees for the issuance and renewal of
8 licenses and its other services.

9 (2) The fees charged shall be set so as to produce funds to approximate the
10 cost of maintaining the Board as provided in subsection (e) of this section.

11 (3) (i) In addition to the fee set by the Board under this title for the
12 renewal of a nurse practitioner who holds an advanced practice registered nurse
13 certification, the Board shall assess a separate \$15 fee for the renewal of the nurse
14 practitioner, regardless of the number of certifications held by the nurse practitioner.

15 (ii) The Board shall pay the fee collected under subparagraph (i) of
16 this paragraph to the Nurse Practitioner Preceptorship Tax Credit Fund established under
17 § 10–739 of the Tax – General Article.

18 (c) The Board shall publish in its rules and regulations the fees that it sets.

19 (d) (1) The Board shall pay all fees collected under the provisions of this title
20 to the Comptroller of the State.

21 (2) The Comptroller shall distribute the fees received from the Board to the
22 Board of Nursing Fund.

23 **(E) (1) IN EACH OF FISCAL YEARS 2023 THROUGH 2025, IF THE**
24 **GOVERNOR DOES NOT INCLUDE IN THE STATE BUDGET AT LEAST \$400,000 FOR THE**
25 **OPERATION OF THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR**
26 **NURSES AND NURSING WORKERS UNDER TITLE 24, SUBTITLE 18 OF THE HEALTH**
27 **– GENERAL ARTICLE, AS ADMINISTERED BY THE DEPARTMENT, THE COMPTROLLER**
28 **SHALL DISTRIBUTE:**

29 **(I) \$400,000 OF THE FEES RECEIVED FROM THE BOARD TO THE**
30 **DEPARTMENT TO BE USED TO MAKE GRANTS UNDER THE MARYLAND LOAN**
31 **ASSISTANCE REPAYMENT PROGRAM FOR NURSES AND NURSING WORKERS UNDER**
32 **TITLE 24, SUBTITLE 18 OF THE HEALTH – GENERAL ARTICLE TO NURSES AND**
33 **NURSING WORKERS ENGAGED IN PRIMARY CARE WHO AGREE TO PRACTICE FOR AT**

1 LEAST 2 YEARS IN A GEOGRAPHIC AREA OF THE STATE THAT HAS BEEN DESIGNATED
2 BY THE SECRETARY AS BEING MEDICALLY UNDERSERVED; AND

3 (II) THE BALANCE OF THE FEES TO THE BOARD OF NURSING
4 FUND.

5 (2) IN FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, IF
6 THE DEPARTMENT DOES NOT IMPLEMENT A PERMANENT FUNDING STRUCTURE
7 UNDER § 24-1802(B) OF THE HEALTH – GENERAL ARTICLE AND THE GOVERNOR
8 DOES NOT INCLUDE IN THE STATE BUDGET AT LEAST \$400,000 FOR THE OPERATION
9 OF THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR NURSES AND
10 NURSING WORKERS UNDER TITLE 24, SUBTITLE 18 OF THE HEALTH – GENERAL
11 ARTICLE, AS ADMINISTERED BY THE DEPARTMENT, THE COMPTROLLER SHALL
12 DISTRIBUTE:

13 (I) \$400,000 OF THE FEES RECEIVED FROM THE BOARD TO THE
14 DEPARTMENT TO BE USED TO MAKE GRANTS UNDER THE MARYLAND LOAN
15 ASSISTANCE REPAYMENT PROGRAM FOR NURSES AND NURSING WORKERS UNDER
16 TITLE 24, SUBTITLE 18 OF THE HEALTH – GENERAL ARTICLE TO NURSES AND
17 NURSING WORKERS ENGAGED IN PRIMARY CARE WHO AGREE TO PRACTICE FOR AT
18 LEAST 2 YEARS IN A GEOGRAPHIC AREA OF THE STATE THAT HAS BEEN DESIGNATED
19 BY THE SECRETARY AS BEING MEDICALLY UNDERSERVED; AND

20 (II) THE BALANCE OF THE FEES TO THE BOARD OF NURSING
21 FUND.

22 [(e)] (F) (1) The Board of Nursing Fund shall be used exclusively to cover the
23 actual documented direct and indirect costs of fulfilling the statutory and regulatory duties
24 of the Board as provided by the provisions of this title.

25 (2) (i) The Board of Nursing Fund is a continuing, nonlapsing fund, not
26 subject to § 7-302 of the State Finance and Procurement Article.

27 (ii) Any unspent portions of the Board of Nursing Fund may not be
28 transferred or revert to the General Fund of the State, but shall remain in the Board of
29 Nursing Fund to be used for the purposes specified in this title.

30 (3) No other State money may be used to support the Board of Nursing
31 Fund.

32 (4) AVAILABLE FEDERAL FUNDS MAY BE USED TO SUPPORT THE
33 BOARD OF NURSING FUND.

1 **[(f)] (G)** (1) The Chairman of the Board or the designee of the Chairman shall
2 administer the Board of Nursing Fund.

3 (2) Money in the Board of Nursing Fund may be expended only for any
4 lawful purpose authorized by the provisions of this title.

5 **[(g)] (H)** The Legislative Auditor shall audit the accounts and transactions of the
6 Board of Nursing Fund as provided in § 2–1220 of the State Government Article.

7 SECTION 2. AND BE IT FURTHER ENACTED, That:

8 (a) The Maryland Department of Health shall convene a stakeholder workgroup
9 to examine how the State can implement a program within or in addition to the Maryland
10 Loan Assistance Program Fund for Nurses and Nursing Workers to further incentivize
11 nursing and nursing worker students to practice in professional shortage areas and
12 medically underserved areas in the State.

13 (b) The workgroup shall consist of the following members:

14 (1) the Secretary of Health, or the Secretary's designee;

15 (2) one representative of the State Board of Nursing;

16 (3) one representative of the Maryland Nurses Association;

17 (4) one representative of 1199 SEIU United Healthcare Workers East;

18 (5) one representative of the Health Facilities Association of Maryland;

19 (6) one representative of the Maryland Hospital Association; and

20 (7) one representative of the LifeSpan Network.

21 (c) The workgroup shall consult with the Department of Legislative Services
22 when developing its recommendations.

23 (d) The workgroup shall:

24 (1) review nursing school debt experienced in the United States and in
25 Maryland;

26 (2) examine other models for nurse and nursing worker recruitment and
27 retention that operate in other states, including how these models are funded and how to
28 improve the Maryland Loan Assistance Repayment Program Fund for Nurses and Nursing
29 Workers to ensure that the Program is competitive with other states;

1 (3) examine and recommend methods to incentivize nursing and nursing
2 worker students to commit to practicing in medically underserved areas in the State before
3 entering an educational program or on graduation from nursing school or a program
4 focusing on training for nursing workers; and

5 (4) investigate the availability of other federal grants to further expand
6 loan repayment and loan forgiveness for other nurses and nursing workers in Maryland.

7 (e) (1) On or before December 1, 2022, the workgroup shall submit an interim
8 report of its findings and recommendations, in accordance with § 2–1257 of the State
9 Government Article, to the General Assembly.

10 (2) On or before December 1, 2023, the workgroup shall submit a final
11 report of its findings and recommendations, including recommendations on the structure
12 of a permanent advisory council and a permanent funding structure for the Maryland Loan
13 Assistance Repayment Program Fund for Nurses and Nursing Workers, to the General
14 Assembly in accordance with § 2–1257 of the State Government Article.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2022.