

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2007

67th Legislature
2022 Regular Session

Passed by the House February 13, 2022
Yeas 97 Nays 1

**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2022
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2007** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2007

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By Representatives Slatter, Cody, Bergquist, Goodman, Leavitt, Peterson, Ramel, Ryu, Santos, Senn, Tharinger, Chopp, Macri, Bateman, Ormsby, Riccelli, Lekanoff, and Pollet

Read first time 01/17/22. Referred to Committee on College & Workforce Development.

1 AN ACT Relating to establishing a nurse educator loan repayment
2 program under the Washington health corps; and amending RCW
3 28B.115.020, 28B.115.030, 28B.115.050, 28B.115.070, 28B.115.080,
4 28B.115.090, 28B.115.110, and 28B.115.130.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 28B.115.020 and 2019 c 302 s 2 are each amended to
7 read as follows:

8 Unless the context clearly requires otherwise, the definitions in
9 this section apply throughout this chapter.

10 (1) "Approved nursing program" means a nursing educational
11 program that leads to a degree or licensure in nursing that is
12 approved by the nursing care quality assurance commission under RCW
13 18.79.070 and is located at an institution of higher education that
14 is authorized to participate in state financial aid programs under
15 chapter 28B.92 RCW.

16 (2) "Credentialed health care profession" means a health care
17 profession regulated by a disciplining authority in the state of
18 Washington under RCW 18.130.040 or by the pharmacy quality assurance
19 commission under chapter 18.64 RCW and designated by the department
20 in RCW 28B.115.070 as a profession having shortages of credentialed
21 health care professionals in the state.

1 ~~((2))~~ (3) "Credentialed health care professional" means a
2 person regulated by a disciplining authority in the state of
3 Washington to practice a health care profession under RCW 18.130.040
4 or by the pharmacy quality assurance commission under chapter 18.64
5 RCW.

6 ~~((3))~~ (4) "Department" means the state department of health.

7 ~~((4))~~ (5) "Eligible education and training programs" means
8 education and training programs approved by the department that lead
9 to eligibility for a credential as a credentialed health care
10 professional.

11 ~~((5))~~ (6) "Eligible expenses" means reasonable expenses
12 associated with the costs of acquiring an education such as tuition,
13 books, equipment, fees, room and board, and other expenses determined
14 by the office.

15 ~~((6))~~ (7) "Eligible student" means a student who has been
16 accepted into an eligible education or training program and has a
17 declared intention to serve in a health professional shortage area
18 upon completion of the education or training program.

19 ~~((7))~~ (8) "Forgiven" or "to forgive" or "forgiveness" means to
20 render health care services in a health professional shortage area
21 ~~((8))~~, an underserved behavioral health area, or as a nurse educator
22 in the state of Washington in lieu of monetary repayment.

23 ~~((8))~~ (9) "Health professional shortage areas" means those
24 areas where credentialed health care professionals are in short
25 supply as a result of geographic maldistribution or as the result of
26 a short supply of credentialed health care professionals in specialty
27 health care areas and where vacancies exist in serious numbers that
28 jeopardize patient care and pose a threat to the public health and
29 safety. The department shall determine health professional shortage
30 areas as provided for in RCW 28B.115.070. In making health
31 professional shortage area designations in the state the department
32 may be guided by applicable federal standards for "health manpower
33 shortage areas," and "medically underserved areas," and "medically
34 underserved populations."

35 ~~((9))~~ (10) "Loan repayment" means a loan that is paid in full
36 or in part if the participant ~~((renders))~~:

37 (a) Renders health care services in a health professional
38 shortage area or an underserved behavioral health area as defined by
39 the department; or

40 (b) Teaches as a nurse educator for an approved nursing program.

1 ~~((10))~~ (11) "Nonshortage rural area" means a nonurban area of
2 the state of Washington that has not been designated as a rural
3 physician shortage area. The department shall identify the
4 nonshortage rural areas of the state.

5 ~~((11))~~ (12) "Nurse educator" means an individual with an
6 advanced nursing degree beyond a bachelor's degree that teaches
7 nursing curriculum and is a faculty member for an approved nursing
8 program.

9 (13) "Office" means the office of student financial assistance.

10 ~~((12))~~ (14) "Participant" means ~~((a))~~ :

11 (a) A credentialed health care professional who has received a
12 loan repayment award and has commenced practice as a credentialed
13 health care provider in a designated health professional shortage
14 area or an underserved behavioral health area;

15 (b) A nurse educator teaching in an approved nursing program; or
16 ~~((a))~~

17 (c) An eligible student who has received a scholarship under this
18 program.

19 ~~((13))~~ (15) "Required service obligation" means an obligation
20 by the participant to ~~((provide))~~ :

21 (a) Provide health care services in a health professional
22 shortage area or an underserved behavioral health area for a period
23 to be established as provided for in this chapter; or

24 (b) Teach as a nurse educator for a period to be established as
25 provided for in this chapter.

26 ~~((14))~~ (16) "Rural physician shortage area" means rural
27 geographic areas where primary care physicians are in short supply as
28 a result of geographic maldistributions and where their limited
29 numbers jeopardize patient care and pose a threat to public health
30 and safety. The department shall designate rural physician shortage
31 areas.

32 ~~((15))~~ (17) "Satisfied" means paid-in-full.

33 ~~((16))~~ (18) "Scholarship" means a loan that is forgiven in
34 whole or in part if the recipient renders health care services in a
35 health professional shortage area or an underserved behavioral health
36 area.

37 ~~((17))~~ (19) "Sponsoring community" means a rural hospital or
38 hospitals as authorized in chapter 70.41 RCW, a rural health care
39 facility or facilities as authorized in chapter 70.175 RCW, or a city
40 or county government or governments.

1 ~~((18))~~ (20) "Underserved behavioral health area" means a
2 geographic area, population, or facility that has a shortage of
3 health care professionals providing behavioral health services, as
4 determined by the department.

5 **Sec. 2.** RCW 28B.115.030 and 2019 c 302 s 3 are each amended to
6 read as follows:

7 The Washington health corps is the state's initiative to
8 encourage health care professionals to work in underserved
9 communities. In exchange for service, the health care professional
10 receives assistance with higher education, in the form of loan
11 repayment or a conditional scholarship. The Washington health corps
12 consists of the health professional loan repayment and scholarship
13 program ~~((and))~~, the behavioral health loan repayment program, and
14 the nurse educator loan repayment program.

15 (1) The health professional loan repayment and scholarship
16 program is established for credentialed health professionals and
17 residents serving in health professional shortage areas.

18 (2) The behavioral health loan repayment program is established
19 for credentialed health professionals serving in underserved
20 behavioral health areas.

21 (3) The nurse educator loan repayment program is established for
22 nurse educators teaching for approved nursing programs.

23 (4) ~~The ((health professional loan repayment and scholarship and~~
24 ~~the behavioral health loan repayment programs shall be administered~~
25 ~~by the office)) office is the administrator of the programs under the~~
26 Washington health corps. In administering the programs, the office
27 shall:

28 (a) (i) Select credentialed health care professionals and
29 residents to participate in the loan repayment portion and in the
30 scholarship portion of the health professional loan repayment and
31 scholarship program; ~~((and))~~

32 (ii) Select credentialed health care participants to participate
33 in the behavioral health loan repayment program; and

34 (iii) Select nurse educators to participate in the nurse educator
35 loan repayment program;

36 (b) Adopt rules and develop guidelines to administer the
37 programs;

38 (c) Collect and manage repayments from participants who do not
39 meet their service obligations under this chapter;

1 (d) Publicize the program, particularly to maximize participation
2 among individuals in shortage and underserved areas and among
3 populations expected to experience the greatest growth in the
4 workforce;

5 (e) Solicit and accept grants and donations from public and
6 private sources for the programs;

7 (f) Use a competitive procurement to contract with a fund-raiser
8 to solicit and accept grants and donations from private sources for
9 the programs. The fund-raiser shall be paid on a contingency fee
10 basis on a sliding scale but must not exceed fifteen percent of the
11 total amount raised for the programs each year. The fund-raiser shall
12 not be a registered state lobbyist; and

13 (g) Develop criteria for a contract for service in lieu of the
14 service obligation where appropriate, that may be a combination of
15 service and payment.

16 **Sec. 3.** RCW 28B.115.050 and 2019 c 302 s 5 are each amended to
17 read as follows:

18 The office shall establish a planning committee to assist it in
19 developing criteria for the selection of participants for (~~both the~~
20 ~~health professional loan repayment and scholarship program and the~~
21 ~~behavioral health loan repayment program~~) the Washington health
22 corps program. The office shall include on the planning committee
23 representatives of the department, the department of social and
24 health services, appropriate representatives from health care
25 facilities, provider groups, consumers, the state board for community
26 and technical colleges, the superintendent of public instruction,
27 institutions of higher education, representatives from the behavioral
28 health and public health fields, and other appropriate public and
29 private agencies and organizations. The criteria may require that
30 some of the participants meet the definition of (~~"needy student"~~)
31 financial need under RCW 28B.92.030.

32 **Sec. 4.** RCW 28B.115.070 and 2021 c 334 s 962 are each amended to
33 read as follows:

34 (1) After June 1, 1992, the department, in consultation with the
35 office and the department of social and health services, shall:

36 (a) Determine eligible credentialed health care professions for
37 the purposes of the health professional loan repayment and
38 scholarship program and the behavioral health loan repayment program

1 authorized by this chapter. Eligibility shall be based upon an
2 assessment that determines that there is a shortage or insufficient
3 availability of a credentialed profession so as to jeopardize patient
4 care and pose a threat to the public health and safety. The
5 department shall consider the relative degree of shortages among
6 professions when determining eligibility. The department may add or
7 remove professions from eligibility based upon the determination that
8 a profession is no longer in shortage. Should a profession no longer
9 be eligible, participants or eligible students who have received
10 scholarships shall be eligible to continue to receive scholarships or
11 loan repayments until they are no longer eligible or until their
12 service obligation has been completed;

13 (b) Determine health professional shortage areas for each of the
14 eligible credentialed health care professions; and

15 (c) Determine underserved behavioral health areas for each of the
16 eligible credentialed health care professions.

17 ~~(2) ((For the 2017-2019, 2019-2021, and 2021-2023 fiscal biennia,~~
18 ~~consideration for eligibility shall also be given to registered~~
19 ~~nursing students who have been accepted into an eligible nursing~~
20 ~~education program and have declared an intention to teach nursing~~
21 ~~upon completion of the nursing education program.~~

22 ~~(3) For the 2019-2021 and 2021-2023 fiscal biennia, eligibility~~
23 ~~for loan repayment shall also be given to chiropractors.~~

24 ~~(4) During the 2019-2021 and 2021-2023 fiscal biennia, the~~
25 ~~department must consider pediatric and juvenile rheumatologists for~~
26 ~~eligibility for loan repayment.)) The office, in consultation with~~
27 ~~the department, shall determine selection criteria for nurse~~
28 ~~educators and approved nursing programs.~~

29 **Sec. 5.** RCW 28B.115.080 and 2019 c 302 s 7 are each amended to
30 read as follows:

31 After June 1, 1992, the office, in consultation with the
32 department and the department of social and health services, shall:

33 (1) Establish the annual award amount for each credentialed
34 health care profession which shall be based upon an assessment of
35 reasonable annual eligible expenses involved in training and
36 education for each credentialed health care profession for both the
37 health professional loan repayment and scholarship program and the
38 behavioral health loan repayment program. The annual award amount may
39 be established at a level less than annual eligible expenses. The

1 annual award amount shall be established by the office for each
2 eligible health profession. The awards shall not be paid for more
3 than a maximum of five years per individual;

4 (2) Determine any scholarship awards for prospective physicians
5 in such a manner to require the recipients declare an interest in
6 serving in rural areas of the state of Washington. Preference for
7 scholarships shall be given to students who reside in a rural
8 physician shortage area or a nonshortage rural area of the state
9 prior to admission to the eligible education and training program in
10 medicine. Highest preference shall be given to students seeking
11 admission who are recommended by sponsoring communities and who
12 declare the intent of serving as a physician in a rural area. The
13 office may require the sponsoring community located in a nonshortage
14 rural area to financially contribute to the eligible expenses of a
15 medical student if the student will serve in the nonshortage rural
16 area;

17 (3) Establish the required service obligation for each
18 credentialed health care profession, which shall be no less than
19 three years or no more than five years, for the health professional
20 loan repayment and scholarship program and the behavioral health loan
21 repayment program. The required service obligation may be based upon
22 the amount of the scholarship or loan repayment award such that
23 higher awards involve longer service obligations on behalf of the
24 participant;

25 (4) Establish the annual award amount and the required service
26 obligation for nurse educators participating in the nurse educator
27 loan repayment program. The annual award amount shall be based upon
28 an assessment of reasonable annual eligible expenses involved in
29 training and education. The awards shall not be paid for more than a
30 maximum of five years per individual. The required service obligation
31 shall be no less than three years or no more than five years. The
32 required service obligation may be based upon the amount of the loan
33 repayment award such that higher awards involve longer service
34 obligations on behalf of the participant;

35 (5) Determine eligible education and training programs for
36 purposes of the scholarship portion of the health professional loan
37 repayment and scholarship program;

38 ((+5)) (6) Honor loan repayment and scholarship contract terms
39 negotiated between the office and participants prior to May 21, 1991,
40 concerning loan repayment and scholarship award amounts and service

1 obligations authorized under this chapter ((28B.115)) or chapter
2 70.180 RCW.

3 **Sec. 6.** RCW 28B.115.090 and 2019 c 302 s 8 are each amended to
4 read as follows:

5 (1) The office may grant loan repayment and scholarship awards to
6 eligible participants from the funds appropriated to the ((health
7 professional loan repayment and scholarship program, or from any
8 private or public funds given to the office for this purpose. The
9 office may grant loan repayment to eligible participants from the
10 funds appropriated to the behavioral health loan repayment program or
11 from any private or public funds given to the office for this
12 purpose)) Washington health corps program. Participants are
13 ineligible to receive loan repayment under the ((health professional
14 loan repayment and scholarship program or the behavioral health loan
15 repayment program)) Washington health corps program if they have
16 received a scholarship from programs authorized under this chapter or
17 chapter 70.180 RCW or are ineligible to receive a scholarship if they
18 have received loan repayment authorized under this chapter ((~~or~~
19 ~~chapter 28B.115 RCW~~)).

20 (2) Funds appropriated for the health professional loan repayment
21 and scholarship program, including reasonable administrative costs,
22 may be used by the office for the purposes of loan repayments or
23 scholarships. The office shall annually establish the total amount of
24 funding to be awarded for loan repayments and scholarships and such
25 allocations shall be established based upon the best utilization of
26 funding for that year.

27 (3) One portion of the funding appropriated for the health
28 professional loan repayment and scholarship program shall be used by
29 the office as a recruitment incentive for communities participating
30 in the community-based recruitment and retention program as
31 authorized by chapter 70.185 RCW; one portion of the funding shall be
32 used by the office as a recruitment incentive for recruitment
33 activities in state-operated institutions, county public health
34 departments and districts, county human service agencies, federal and
35 state contracted community health clinics, and other health care
36 facilities, such as rural hospitals that have been identified by the
37 department, as providing substantial amounts of charity care or
38 publicly subsidized health care; one portion of the funding shall be
39 used by the office for all other awards. The office shall determine

1 the amount of total funding to be distributed between the three
2 portions.

3 **Sec. 7.** RCW 28B.115.110 and 2019 c 302 s 10 are each amended to
4 read as follows:

5 Participants in the Washington health corps who are awarded loan
6 repayments shall receive payment for the purpose of repaying
7 educational loans secured while attending a program of health
8 professional training which led to a credential as a credentialed
9 health professional in the state of Washington.

10 (1) Participants shall agree to meet the required service
11 obligation.

12 (2) Repayment shall be limited to eligible educational and living
13 expenses as determined by the office and shall include principal and
14 interest.

15 (3) Loans from both government and private sources may be repaid
16 by the program. Participants shall agree to allow the office access
17 to loan records and to acquire information from lenders necessary to
18 verify eligibility and to determine payments. Loans may not be
19 renegotiated with lenders to accelerate repayment.

20 (4) Repayment of loans established pursuant to the Washington
21 health corps shall begin no later than ninety days after the
22 individual has become a participant. Payments shall be made
23 quarterly, or more frequently if deemed appropriate by the office, to
24 the participant until the loan is repaid or the participant becomes
25 ineligible due to discontinued service in a health professional
26 shortage area ((~~or~~)), an underserved behavioral health area, or as a
27 nurse educator at an approved nursing program after the required
28 service obligation when eligibility discontinues, whichever comes
29 first.

30 (5) Should the participant discontinue service in a health
31 professional shortage area ((~~or~~)), an underserved behavioral health
32 area, or as a nurse educator at an approved nursing program, payments
33 against the loans of the participants shall cease to be effective on
34 the date that the participant discontinues service.

35 (6) Except for circumstances beyond their control, participants
36 who serve less than the required service obligation shall be
37 obligated to repay to the program an amount equal to the unsatisfied
38 portion of the service obligation, or the total amount paid by the
39 program on their behalf, whichever is less. This amount is due and

1 payable immediately. Participants who are unable to pay the full
2 amount due shall enter into a payment arrangement with the office,
3 including an arrangement for payment of interest. The maximum period
4 for repayment is ten years. The office shall determine the
5 applicability of this subsection. The interest rate shall be
6 determined by the office and be established by rule.

7 (7) The office is responsible for the collection of payments made
8 on behalf of participants from the participants who discontinue
9 service before completion of the required service obligation. The
10 office shall exercise due diligence in such collection, maintaining
11 all necessary records to ensure that the maximum amount of payment
12 made on behalf of the participant is recovered. Collection under this
13 section shall be pursued using the full extent of the law, including
14 wage garnishment if necessary.

15 (8) The office shall not be held responsible for any outstanding
16 payments on principal and interest to any lenders once a
17 participant's eligibility expires.

18 (9) The office shall temporarily or, in special circumstances,
19 permanently defer the requirements of this section for eligible
20 students as defined in RCW 28B.10.017.

21 (10) The office shall establish an appeal process by rule.

22 **Sec. 8.** RCW 28B.115.130 and 2011 1st sp.s. c 11 s 212 are each
23 amended to read as follows:

24 (1) Any funds appropriated by the legislature for the health
25 professional loan repayment and scholarship program and the nurse
26 educator loan repayment program or any other public or private funds
27 intended for loan repayments or scholarships under (~~this program~~)
28 these programs shall be placed in the account created by this
29 section.

30 (2) The health professional loan repayment and scholarship
31 program fund is created in custody of the state treasurer. All
32 receipts from the program shall be deposited into the fund. Only the
33 office, or its designee, may authorize expenditures from the fund.
34 The fund is subject to allotment procedures under chapter 43.88 RCW,
35 but no appropriation is required for expenditures.

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