

1 AN ACT concerning higher education.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Nursing Education Scholarship Law is
5 amended by changing Sections 2, 3, 4, 5, 6, 7, 9, and 10 as
6 follows:

7 (110 ILCS 975/2) (from Ch. 144, par. 2752)

8 Sec. 2. Legislative finding and declaration of policy.
9 The General Assembly finds and hereby declares that the
10 provision of a higher education leading to an associate
11 degree in of nursing, an associate degree in of applied
12 sciences in nursing, a hospital-based diploma in hospital
13 based nursing, program--diploma,--completion-of-a-practical
14 nursing-education-program,--and a baccalaureate degree in
15 nursing, or a certificate in practical nursing for persons of
16 this State who desire such an education is important to the
17 health, welfare and security of this State and Nation, and
18 consequently is an important public purpose. Many qualified
19 and potential nurses are deterred by financial considerations
20 from pursuing their nursing education, with consequent
21 irreparable loss to the State and Nation of talents vital to
22 health, welfare and security. A system of scholarships,
23 repayment of which may be excused if the individual is
24 employed as a registered practices professional nurse nursing
25 or a licensed practical nurse nursing after obtaining an
26 associate degree in nursing, associate degree in of applied
27 sciences in nursing, or hospital-based diploma in completing
28 a---practical---nursing--education--program,--hospital--based
29 nursing, program--diploma,--or--a baccalaureate degree in
30 nursing, or certificate in practical nursing, will enable
31 such individuals to attend approved qualified institutions of

1 their choice in the State, public or private.

2 (Source: P.A. 89-237, eff. 8-4-95.)

3 (110 ILCS 975/3) (from Ch. 144, par. 2753)

4 Sec. 3. Definitions.

5 The following terms, whenever used or referred to, have
6 the following meanings except where the context clearly
7 indicates otherwise:

8 (1) "Board" means the Board of Higher Education created
9 by the Board of Higher Education Act.

10 (2) "Department" means the Illinois Department of Public
11 Health.

12 (3) "Approved institution" means a public community
13 college, private junior college, hospital-based diploma in
14 ~~hospital--based~~ nursing program, or public or private college
15 or university located in this State that which has National
16 League---for---Nursing---accreditation--or approval by the
17 Department of Professional Regulation for an the associate
18 degree program in nursing program, associate degree in of
19 applied sciences in nursing program, hospital-based diploma
20 in hospital--based nursing program diploma, baccalaureate
21 degree in nursing program, or certificate in practical
22 nursing education program ~~of-not-less-than-one-academic-year,~~
23 ~~or-baccalaureate-degree-in-nursing.~~

24 (4) "Baccalaureate degree in nursing program" means a
25 program offered by an approved institution and leading to a
26 bachelor of science degree in nursing.

27 (5) "Enrollment" means the establishment and maintenance
28 of an individual's status as a student in an approved
29 institution, regardless of the terms used at the institution
30 to describe such status.

31 (6) "Academic year" means the period of time from
32 September 1 of one year through August 31 of the next year or
33 as otherwise defined by the academic institution.

1 (7) "Associate degree in nursing program or
2 hospital-based diploma in nursing hospital-based program"
3 means a program offered by an approved institution and
4 leading to an the associate degree in of nursing, associate
5 degree in of applied sciences in nursing, or hospital-based
6 diploma in nursing hospital-based-nursing-program-diploma.

7 (8) "Director" means the Director of the Illinois
8 Department of Public Health.

9 (9) "Accepted for admission" means a student has
10 completed the requirements for entry into an associate degree
11 in nursing program, associate degree in applied sciences in
12 nursing program, hospital-based diploma in nursing program,
13 baccalaureate degree in nursing program, or certificate in
14 practical nursing program at an approved institution, as
15 documented by the institution.

16 (10) "Fees" means those mandatory charges, in addition
17 to tuition, that all enrolled students must pay, including
18 required course or lab fees.

19 (11) "Full-time student" means a student enrolled for at
20 least 12 hours per term or as otherwise determined by the
21 academic institution.

22 (12) "Law" means the Nursing Education Scholarship Law.

23 (13) "Nursing employment obligation" means employment in
24 this State as a registered professional nurse or licensed
25 practical nurse in direct patient care to meet the obligation
26 incurred by accepting funding through the Nursing Education
27 Scholarship Program.

28 (14) "Part-time student" means a person who is enrolled
29 for at least one-third of the number of hours required per
30 term by a school for its full-time students.

31 (15) "Practical nursing program" means a program offered
32 by an approved institution leading to a certificate in
33 practical nursing.

34 (16) "Registered professional nurse" means a person who

1 is currently licensed as a registered professional nurse by
2 the Department of Professional Regulation under the Nursing
3 and Advanced Practice Nursing Act.

4 (17) "Licensed practical nurse" means a person who is
5 currently licensed as a licensed practical nurse by the
6 Department of Professional Regulation under the Nursing and
7 Advanced Practice Nursing Act.

8 (18) "School term" means an academic term, such as a
9 semester, quarter, trimester, or number of clock hours, as
10 defined by an approved institution.

11 (19) "Student in good standing" means a student
12 maintaining a cumulative grade point average equivalent to at
13 least the academic grade of a "C".

14 (20) "Total and permanent disability" means a physical
15 or mental impairment, disease, or loss of a permanent nature
16 that prevents nursing employment with or without reasonable
17 accommodation. Proof of disability shall be a declaration
18 from the social security administration, Illinois Industrial
19 Commission, Department of Defense, or an insurer authorized
20 to transact business in Illinois who is providing disability
21 insurance coverage to a contractor.

22 (21) "Tuition" means the established charges of an
23 institution of higher learning for instruction at that
24 institution.

25 (Source: P.A. 86-1467; 87-577.)

26 (110 ILCS 975/4) (from Ch. 144, par. 2754)

27 Sec. 4. Functions of Department. The Department shall
28 prepare and supervise the issuance of public information
29 about the provisions of this Article; prescribe the form and
30 regulate the submission of applications for scholarships;
31 determine the eligibility of applicants; award the
32 appropriate scholarships; prescribe the contracts or other
33 acknowledgments of scholarship which an applicant is required

1 to execute; and determine whether all or any part of a
 2 recipient's ~~an-applicant's~~ scholarship needs to be monetarily
 3 repaid, or has been excused from repayment, and the extent of
 4 any repayment or excused repayment. The Department may
 5 require a ~~scholarship~~ recipient to reimburse the State for
 6 expenses, including but not limited to attorney's fees,
 7 incurred by the Department or other agent of the State for a
 8 successful legal action against the recipient for a breach of
 9 any provision of the scholarship contract. In a breach of
 10 contract, the Department may utilize referral to the
 11 Department of Professional Regulation to revoke, suspend,
 12 refuse to renew, place on probationary status, or take other
 13 disciplinary action concerning the recipient's credentials.
 14 The Department is authorized to make all necessary and proper
 15 rules, not inconsistent with this Article, for the efficient
 16 exercise of the foregoing functions.

17 (Source: P.A. 86-1467.)

18 (110 ILCS 975/5) (from Ch. 144, par. 2755)

19 Sec. 5. Nursing education full-time undergraduate
 20 scholarships. Beginning with the fall term of the 1991-1992
 21 academic year, 500 scholarships shall be provided each year
 22 for qualified individuals who desire to enter an approved
 23 institution awarding an associate degree in nursing,
 24 hospital-based diploma in nursing, diploma, ~~or~~ baccalaureate
 25 degree in nursing, or certificate in ~~offering--an--approved~~
 26 ~~practical nursing education--program--of--not-less-than-one~~
 27 ~~academic-year.~~ Of the 500 scholarships provided each year, at
 28 least 10% ~~50~~ shall go to persons entering an approved
 29 ~~practical nursing education program of--not-less-than-one~~
 30 ~~academic-year.~~ The Department, in accordance with rules and
 31 regulations promulgated by it for this program, shall provide
 32 funding and shall designate each year's new recipients from
 33 among those applicants who qualify for consideration by

1 showing:

2 (1) that he or she has been a resident of this
3 State for at least one year prior to application, and is
4 a citizen or a lawful permanent resident alien of the
5 United States;

6 (2) that he or she is enrolled in or accepted proof
7 of enrollment or acceptance for admission to an associate
8 degree in a practical nursing program, hospital-based
9 associate-degree-nursing, diploma in nursing program, or
10 baccalaureate degree in nursing program, or practical
11 nursing program at an approved institution; and

12 (3) that he or she agrees to be employed providing
13 direct patient care serve as a registered professional
14 nurse or licensed practical nurse in Illinois in
15 accordance with Section 6.

16 If in any year the number of qualified applicants exceeds
17 the number of scholarships to be awarded, the Department
18 shall give priority in awarding scholarships to students in
19 the greatest financial need as shown on a standardized
20 financial needs assessment form used by the approved
21 institution. ~~The Department shall consider factors--such--as~~
22 ~~the--applicant's--family--income,--the--size--of--the--applicant's~~
23 ~~family--and--the--number--of--other--children--in--the--applicant's~~
24 ~~family--attending--college,--and--whether--the--applicant--is--the~~
25 ~~head--of--the--household--in--determining--the--financial--need--of~~
26 ~~the--individual.~~

27 Unless otherwise indicated, these scholarships shall be
28 awarded good for a period of up to 3 years while the
29 recipient is enrolled in an associate degree in nursing or
30 hospital-based diploma in nursing program at an approved
31 institution, for a period of ~~for--residence--credit--at--a~~
32 ~~community--college,--private--junior--college--or--hospital--based~~
33 ~~nursing--program,--and~~ up to 4 years if enrolled in applicant
34 is pursuing a baccalaureate degree in nursing program at an

1 approved institution, and for a period of up to one year if
 2 enrolled in a certificate in practical nursing program at an
 3 approved institution. a--public--or--private--college--or
 4 university;--except--that--the--length--of--scholarships--for
 5 persons--studying--to--be--licensed--practical--nurses--shall--be
 6 established--by--the--Department. At least 1/2 of the
 7 scholarships awarded shall be for recipients who shall attend
 8 State supported schools. The scholarship shall cover
 9 tuition, fees of up to \$2,000 per academic year, and a living
 10 expense stipend of up to \$2,500 per academic year for
 11 full-time students for all 4 levels of nursing education.;
 12 except--that--the--amount--of--scholarships--for--persons--studying
 13 to--be--licensed--practical--nurses--shall--be--established--by--the
 14 Department. For purposes of calculating scholarship awards
 15 for recipients attending private junior colleges or hospital
 16 based nursing programs, or private colleges or universities,
 17 tuition and fees for these students at private approved
 18 private institutions, scholarship funding shall be deemed to
 19 not exceed the Statewide average tuition and fees for
 20 students at public approved public institutions for the
 21 academic year in which the scholarship is made.

22 (Source: P.A. 89-237, eff. 8-4-95.)

23 (110 ILCS 975/6) (from Ch. 144, par. 2756)

24 Sec. 6. Nursing requirements for scholarship recipients.
 25 Within 12 months after Upon graduation from an associate
 26 degree in nursing program, hospital-based diploma in nursing
 27 or--hospital--based program, in--professional--nursing,
 28 baccalaureate degree in nursing program, or certificate in
 29 practical nursing ether program, or course--of--study any
 30 recipient person who accepted a scholarship under Section 5
 31 shall begin meeting the required nursing employment
 32 obligation, during the 7-year period immediately following
 33 his--or--her--graduation, be employed in this State as a

1 registered-professional-nurse-or-licensed-practical-nurse,-as
2 each-term--defined--in--the--Nursing--and--Advanced--Practice
3 Nursing-Act,-for-at-least-one-year-for-each-year-of-full-time
4 scholarship--support--received. In order to defer his or her
5 continuous employment obligation, a recipient must request
6 the deferment in writing from the Department. A recipient
7 shall notify program staff within 30 days if he or she spends
8 up to 4 years in military service before or after graduation.
9 A recipient shall notify program staff within 30 days if he
10 or she is enrolled in an academic program leading to a
11 graduate degree in nursing. If a recipient receives funding
12 through the Nursing Education Scholarship Program for a
13 higher degree, the nursing employment obligation shall be
14 deferred until he or she is no longer enrolled or has
15 graduated. The recipient must begin meeting the required
16 nursing employment obligations no later than 6 months after
17 the end of the deferments. If-the-recipient-spends-up--to--4
18 years---in--military--service--before--or--after--he--or--she
19 graduates,-the-period-of-military-service-shall--be--excluded
20 from--the-computation-of-that-7-year-period.--A-recipient-who
21 is-enrolled-in-an-academic--program--leading--to--a--graduate
22 degree--in--nursing--shall--have-the-period-of-graduate-study
23 excluded-from-the-computation-of-that-7-year-period.

24 Calendar---years---of---required---employment---will---be
25 proportionally-reduced--for--less--than--full--academic--year
26 scholarship--support;-provided--that--employment--must-be-at
27 least-17.5-hours-per-week.

28 Any person who fails to fulfill the nursing employment
29 obligation requirement shall pay to the Department an amount
30 equal to the amount of scholarship funds received per year
31 for each unfulfilled year of the nursing employment
32 obligation requirement, together with interest at 7% per year
33 on the unpaid balance. Payment must begin within 6 months
34 following the date of the occurrence initiating the

1 repayment. All repayments must be completed within 6 years
 2 from the date of the occurrence initiating the repayment.
 3 However, this obligation may be deferred and re-evaluated
 4 every 6 months ~~to-repay-does-not-apply~~ when the failure to
 5 fulfill the nursing employment obligation requirement results
 6 from involuntarily leaving the profession due to a decrease
 7 in the number of nurses employed in the State or when the
 8 failure to fulfill the nursing employment obligation results
 9 from total and permanent disability. The repayment
 10 obligation shall be excused if the failure to fulfill the
 11 nursing employment obligation results from the death or
 12 adjudication as incompetent of the person holding the
 13 scholarship. No claim for repayment may be filed against the
 14 estate of such a decedent or incompetent.

15 Each person applying for such a scholarship shall be
 16 provided with a copy of this Section at the time of
 17 application ~~he-or--she--applies~~ for the benefits of such
 18 scholarship.

19 (Source: P.A. 90-742, eff. 8-13-98.)

20 (110 ILCS 975/7) (from Ch. 144, par. 2757)

21 Sec. 7. Amount of scholarships. A full-time scholarship
 22 shall be for up to \$2,500 per academic year for a living
 23 expenses stipend for a the full-time student and up to \$2,000
 24 per academic year for full-time tuition and fees, or a
 25 maximum of \$4,500 per academic year, less any other State or
 26 federal assistance received by the recipient ~~applicant~~ to
 27 assist in the ~~applicant's~~ pursuit of an associate degree in
 28 nursing, ~~or-hospital-based-program~~ hospital-based diploma in
 29 nursing, ~~or~~ baccalaureate degree in nursing, or certificate
 30 in practical nursing. ~~A The-amount-of-a-scholarship-for-a~~
 31 ~~person-studying-to-be-a-licensed--practical--nurse,--however,~~
 32 ~~shall--be-determined-by-the-Department--The~~ full-time student
 33 ~~applicant~~ may receive a scholarship for up to 3 academic

1 years if pursuing an associate degree in nursing or a
 2 hospital-based diploma in nursing, and for up to 4 academic
 3 years if pursuing a baccalaureate degree in nursing, or for
 4 up to one academic year if pursuing a certificate in
 5 practical nursing degree. A scholarship may be made to a
 6 part-time ~~part-time-(but-not-less-than-1/3-time)~~ student, but
 7 it shall cover only tuition and fees and shall not exceed the
 8 aggregate of \$4,000 for the total time the student ~~applicant~~
 9 may take to complete the associate degree in nursing, ~~or~~
 10 hospital-based diploma ~~hospital-based-program~~ in nursing, or
 11 baccalaureate degree in nursing and shall not exceed the
 12 aggregate of \$2,000 for a certificate in practical nursing
 13 program. The Department may provide that scholarships shall
 14 be on a quarterly or semi-annual basis and shall be
 15 contingent upon the student's ~~applicant's~~ diligently pursuing
 16 nursing ~~applicant's~~ studies and being a student in good
 17 standing.

18 (Source: P.A. 86-1467; 87-577.)

19 (110 ILCS 975/9) (from Ch. 144, par. 2759)

20 Sec. 9. Student enrollment and obligations of
 21 institutions.

22 (a) An approved institution is free to accept a student
 23 ~~an---applicant~~ in compliance with its own admissions
 24 requirements, standards, and policies. The Department may
 25 disburse any scholarship for tuition and fees to the approved
 26 institution direct for the payment of tuition and other
 27 necessary fees or for credit against the student's obligation
 28 for such tuition and fees, and upon acceptance thereof the
 29 approved institution shall be contractually obligated (1) to
 30 provide facilities and instruction to the student on the same
 31 terms as to other students generally, and (2) to provide the
 32 notices and information described in this Section.

33 (b) If, in the course of any academic period, any

1 student enrolled in any approved institution pursuant to a
2 scholarship granted under this Article shall for any reason
3 cease to be a student in good standing, the institution shall
4 promptly give written notice to the Department concerning
5 such change of status and the reason therefor.

6 (c) A student to whom a renewal scholarship has been
7 awarded may either re-enroll in the institution which he or
8 she attended during the preceding year, or enroll in any
9 other approved institution; and in either event, the
10 institution accepting the student for such enrollment or
11 re-enrollment shall notify the Department of such acceptance.

12 (Source: P.A. 86-1467.)

13 (110 ILCS 975/10) (from Ch. 144, par. 2760)

14 Sec. 10. Scholarship distribution. The Department, in
15 accordance with rules and regulations promulgated by it for
16 this program, shall develop and annually revise a scholarship
17 distribution formula that at a minimum considers, but is not
18 limited to, the following:

19 (a) The number of registered professional nurses
20 licensed in the State by the Department of Professional
21 Regulation.

22 (b) The number of licensed practical nurses licensed in
23 the State by the Department of Professional Regulation.

24 (c) The number of scholarship applicants pursuing
25 associate degree in nursing programs, hospital-based diploma
26 in nursing programs, baccalaureate degree in nursing
27 programs, and certificate in practical nursing programs at
28 approved institutions. ~~baccalaureate-degree-nursing-education~~
29 ~~programs,--associate--degree--professional--nursing--education~~
30 ~~programs,--diploma--professional--nursing-education-programs,~~
31 ~~and-approved-practical-nursing-education-programs-of-not-less~~
32 ~~than-one-academic-year.~~

33 (d) ~~The number of students enrolled in baccalaureate~~

1 degree---nursing---education---programs,---associate---degree
2 professional-nursing-education-programs,---diploma-professional
3 nursing--education--programs,--and-approved-practical-nursing
4 education-programs-of-not-less-than-one-academic-year.
5 (Source: P.A. 86-1467; 87-577.)

6 Section 99. Effective date. This Act takes effect
7 January 1, 2002.