

**Second Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 06-0312.01 Jane Ritter

**HOUSE BILL 06-1269**

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**HOUSE SPONSORSHIP**

**Cloer,** Butcher, Benefield, Carroll T., Gardner, Hefley, Larson, Lundberg, Merrifield, Riesberg, Todd, and White

**SENATE SPONSORSHIP**

**Tochtrop,**

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**House Committees**

Health and Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING CREATION OF A NURSING FACULTY FELLOWSHIP**  
102 **PROGRAM.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Creates a nursing faculty fellowship program ("program") to fund qualified nursing faculty positions at schools of nursing in Colorado. Under the program, provides for an annual payment of up to \$10,000 for up to 3 years for a qualified position in a nursing school. Authorizes the Colorado commission on higher education to administer the program. Establishes a fund.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** Title 23, Colorado Revised Statutes, is amended BY  
3 THE ADDITION OF A NEW ARTICLE to read:

4   **ARTICLE 19**  
5   **Nursing Faculty Fellowship Program**

6           **23-19-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8           (1) "COMMISSION" MEANS THE COLORADO COMMISSION ON  
9 HIGHER EDUCATION.

10           (2) "FUND" MEANS THE NURSING FACULTY FELLOWSHIP PROGRAM  
11 FUND CREATED PURSUANT TO SECTION 23-19-103.

12           (3) "NURSING SCHOOL" MEANS A SCHOOL OF NURSING APPROVED  
13 BY THE STATE BOARD OF NURSING, CREATED PURSUANT TO SECTION  
14 12-38-104, C.R.S., AND LOCATED IN COLORADO.

15           (4) "PROGRAM" MEANS THE NURSING FACULTY FELLOWSHIP  
16 PROGRAM CREATED PURSUANT TO SECTION 23-19-102.

17           (5) "QUALIFIED POSITION" MEANS A PART-TIME OR FULL-TIME  
18 NURSING SCHOOL TEACHING POSITION THAT REQUIRES A MASTER'S OR  
19 DOCTORATE DEGREE IN NURSING OR RELATED FIELD.

20           **23-19-102. Nursing faculty fellowship program - creation -**  
21 **administration - conditions.** (1) (a) THERE IS HEREBY CREATED THE  
22 NURSING FACULTY FELLOWSHIP PROGRAM TO PROVIDE MONEYS TO  
23 NURSING SCHOOLS TO FUND FELLOWSHIPS FOR PERSONS EMPLOYED IN  
24 QUALIFIED POSITIONS ON THE NURSING FACULTY. THE PROGRAM SHALL BE  
25 DESIGNED TO HELP NURSING SCHOOLS FILL VACANCIES IN QUALIFIED  
26 POSITIONS THROUGHOUT COLORADO. THE PROGRAM MAY PROVIDE FOR

1 AN ANNUAL PAYMENT OF UP TO TEN THOUSAND DOLLARS PER YEAR FOR  
2 UP TO THREE YEARS FOR A QUALIFIED POSITION IN A NURSING SCHOOL,  
3 EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, SUBJECT TO  
4 AVAILABLE GIFTS, GRANTS, AND DONATIONS.

5 (b) PROGRAM MONEYS SHALL BE USED TO FUND EXISTING  
6 QUALIFIED POSITIONS THAT ARE UNFILLED AT THE TIME OF APPLICATION.  
7 IN THE EVENT THAT THE FACULTY MEMBER WHO IS RECEIVING A  
8 FELLOWSHIP LEAVES THE QUALIFIED POSITION, THE NURSING SCHOOL  
9 SHALL ALLOCATE ANY REMAINING AWARDED PROGRAM MONEYS TO  
10 FUNDING THE QUALIFIED POSITION, IF IT IS FILLED IMMEDIATELY, OR TO  
11 FUNDING ANOTHER VACANT QUALIFIED POSITION IN THE NURSING SCHOOL.  
12 IF THE POSITION IS NOT FILLED IMMEDIATELY OR ANOTHER VACANT  
13 QUALIFIED POSITION DOES NOT EXIST, THE NURSING SCHOOL SHALL  
14 RETURN ANY UNEXPENDED PROGRAM MONEYS TO THE COMMISSION.

15 (2) THE GENERAL ASSEMBLY HEREBY AUTHORIZES THE  
16 COMMISSION TO DEVELOP AND ADMINISTER THE PROGRAM. THE  
17 COMMISSION SHALL IMPLEMENT THE PROGRAM BEGINNING IN THE FALL  
18 SEMESTER OF THE 2007-08 ACADEMIC YEAR, SUBJECT TO AVAILABLE  
19 GIFTS, GRANTS, AND DONATIONS RECEIVED. IF THE AMOUNT OF GIFTS,  
20 GRANTS, AND DONATIONS DOES NOT COVER THE COSTS OF THE PROGRAM,  
21 THE COMMISSION SHALL NOT IMPLEMENT THE PROGRAM.

22 (3) THE COMMISSION, WORKING IN CONJUNCTION WITH NURSING  
23 SCHOOLS IN THE STATE, SHALL DEVELOP A DISTRIBUTION FORMULA AND  
24 SHALL AWARD NO MORE THAN THIRTY PERCENT OF THE AVAILABLE FUNDS  
25 TO A SINGLE NURSING SCHOOL; EXCEPT THAT THE AMOUNT OF ANY  
26 SPECIFIC GIFT, GRANT, OR DONATION DIRECTED TO A SPECIFIC NURSING  
27 SCHOOL AND RECEIVED PURSUANT TO SECTION 23-19-103 MAY EXCEED

1 THIS LIMIT. ANY SPECIFIC GIFT, GRANT, OR DONATION DIRECTED TO A  
2 SPECIFIC NURSING SCHOOL AND RECEIVED PURSUANT TO SECTION  
3 23-19-103 MAY BE AWARDED IN THE AMOUNT STIPULATED BY THE DONOR  
4 AND EXCEED THE LIMIT OF AN ANNUAL FELLOWSHIP AWARD OF UP TO TEN  
5 THOUSAND DOLLARS PER YEAR FOR UP TO THREE YEARS. NURSING  
6 SCHOOLS SHALL APPLY TO THE COMMISSION TO BE AWARDED FELLOWSHIP  
7 MONEYS FROM THE PROGRAM. IN AWARDING FELLOWSHIPS TO NURSING  
8 SCHOOLS, THE COMMISSION SHALL CONSIDER THE FOLLOWING CRITERIA:

9 (a) THE QUALIFIED POSITIONS AVAILABLE AT THE NURSING SCHOOL  
10 AND THE LENGTH OF TIME THE OPENINGS HAVE GONE UNFILLED;

11 (b) DOCUMENTED RECRUITING EFFORTS BY THE NURSING SCHOOL;

12 (c) THE GEOGRAPHIC LOCATION OF THE NURSING SCHOOL; AND

13 (d) THE TYPE OF NURSING PROGRAM OR PROGRAMS OFFERED AT  
14 THE NURSING SCHOOL, INCLUDING ASSOCIATE, BACHELOR'S, MASTER'S, OR  
15 DOCTORAL DEGREE IN NURSING, AND THE NEED FOR THOSE PROGRAMS IN  
16 THE STATE.

17 **23-19-103. Nursing faculty fellowship program fund.** THE  
18 COMMISSION IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR  
19 DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS  
20 ARTICLE, INCLUDING GIFTS, GRANTS, OR DONATIONS THAT INCLUDE  
21 STATED CONDITIONS OF USE; EXCEPT THAT A GIFT, GRANT, OR DONATION  
22 SHALL NOT BE ACCEPTED IF THE CONDITIONS ATTACHED TO THE GIFT,  
23 GRANT, OR DONATION REQUIRE ITS EXPENDITURE IN A MANNER CONTRARY  
24 TO LAW. ALL PRIVATE AND PUBLIC FUNDS RECEIVED THROUGH GIFTS,  
25 GRANTS, OR DONATIONS SHALL BE TRANSMITTED TO THE STATE  
26 TREASURER, WHO SHALL CREDIT THE SAME TO THE NURSING FACULTY  
27 FELLOWSHIP PROGRAM FUND, WHICH FUND IS HEREBY CREATED. ■ ■ ■

1        ████████ THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL  
2 APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE DIRECT AND  
3 INDIRECT COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS  
4 ARTICLE. ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF  
5 THIS ARTICLE MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED  
6 BY LAW. THE COMMISSION MAY EXPEND UP TO ONE PERCENT OF THE  
7 MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE  
8 DOCUMENTED COSTS INCURRED IN IMPLEMENTING THE PROGRAM. ALL  
9 INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF  
10 MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. AT THE END OF  
11 ANY FISCAL YEAR, ALL UNEXPENDED AND UNENCUMBERED MONEYS IN THE  
12 FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR  
13 TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

14            **23-19-104. Reporting requirements.** (1) ON OR BEFORE  
15 NOVEMBER 1, 2007, AND ON OR BEFORE NOVEMBER 1 EACH YEAR  
16 THEREAFTER, THE COMMISSION SHALL PREPARE AN ANNUAL REPORT THAT  
17 INCLUDES, AT A MINIMUM, THE FOLLOWING INFORMATION FOR THE  
18 PRECEDING FISCAL YEAR:

19            (a) THE NUMBER OF NURSING SCHOOLS THAT RECEIVE MONEYS  
20 FROM THE PROGRAM;

21            (b) THE NUMBER OF PERSONS IN QUALIFIED POSITIONS THAT  
22 RECEIVE FELLOWSHIPS FROM THE PROGRAM;

23            (c) THE SOURCE OF INCOME TO THE FUND; AND

24            (d) THE AMOUNT OF UNENCUMBERED AND UNEXPENDED MONEYS  
25 IN THE FUND AS OF JUNE 30 OF THE PRECEDING FISCAL YEAR.

26            (2) THE COMMISSION SHALL PROVIDE NOTICE TO THE EDUCATION  
27 COMMITTEES AND HEALTH AND HUMAN SERVICES COMMITTEES OF THE

1 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR  
2 COMMITTEES, AND THE NURSING SCHOOLS THAT THE REPORT IS AVAILABLE  
3 UPON REQUEST.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety.