

Second Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 06-0312.01 Jane Ritter

HOUSE BILL 06-1269

HOUSE SPONSORSHIP

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

SENATE SPONSORSHIP

Tochtrop,

House Committees

Health and Human Services

Senate Committees

A BILL FOR AN ACT

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

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.

HOUSE
Amended 2nd Reading
February 27, 2006

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.