

BILL ANALYSIS

Senate Research Center
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S.B. 202
By: Nelson
S/C on Higher Education
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, there is no law providing incentives for institutions of higher education to recruit and retain allied health faculty. Allied health education programs and nursing education programs have difficulty recruiting and retaining faculty. S.B. 132, Acts of the 79th Legislature, Regular Session, 2005, was passed to provide incentives for nurses to serve as faculty at institutions of higher education, but no similar incentives are currently provided for allied health professionals.

As proposed, S.B. 202 provides incentives for schools to use in recruiting and retaining allied health faculty. This bill provides tuition exemptions and a low-interest home loan program for allied health faculty. This bill also creates allied health faculty enhancement grants to be administered by the Texas Higher Education Coordinating Board.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Sections 54.223 and 54.224, Education Code) of this bill.

Rulemaking authority is expressly granted to the board of directors of the Texas State Affordable Housing Corporation in SECTION 5 (Section 2306.5623, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 54, Education Code, by adding Sections 54.223 and 54.224, as follows:

Sec. 54.223. CHILDREN OF ALLIED HEALTH PROGRAM FACULTY. (a) Defines "allied health profession," "child," "graduate allied health program," and "undergraduate allied health program."

(b) Requires the governing board of an institution of higher education (board) to exempt from the payment of tuition a resident of this state enrolled as an undergraduate student at the institution who is a child of a person who, at the beginning of the semester or other academic term for which the exemption is sought, holds a master's or doctoral degree in an allied health profession, if not employed or under contract as a teaching assistant under Subdivision (1) or (2) or holding a baccalaureate degree in an allied health profession under certain employment conditions.

(c) Provides that a child who would qualify for an exemption under this section, except for the fact that the child's parent is not employed full-time, is eligible for an exemption on a pro rata basis equal to the percentage of full-time employment the parent is employed, with the exception that a parent employed for less than 25 percent of full-time employment is considered to be employed for 25 percent of full-time employment.

(d) Provides exceptions to a person's eligibility for an exemption under this section.

(e) Provides that, for purposes of Subsection (d), a summer session that is less than nine weeks in duration is considered one-half of a summer session.

(f) Provides that the tuition exemption provided by this section applies only to enrollment of a child at the institution at which the child's parent is employed or under contract.

(g) Requires the Texas Higher Education Coordinating Board (THECB) to adopt rules governing the granting or denial of an exemption under this section, including rules relating to the determination of eligibility for an exemption, and to adopt a uniform application form for an exemption under this section.

Sec. 54.224. PRECEPTORS FOR ALLIED HEALTH PROGRAMS. (a) Defines "allied health profession," "child," and "undergraduate allied health program."

(b) Requires the board to exempt \$500 from the tuition of a resident of this state enrolled as a student at the institution who holds a license, certificate, or registration in an allied health profession and is serving under a written preceptor agreement with an undergraduate allied health program as a clinical preceptor for students enrolled in the program for the semester or other academic term for which the exemption is sought.

(c) Requires the board to exempt \$500 from the tuition of a resident of this state enrolled as an undergraduate student at the institution who is a child of a person who meets the requirements of Subsections (b)(1) and (2).

(d) Requires the board to exempt from the payment of tuition a person eligible for the exemption under this section if the person owes less than \$500 in tuition, notwithstanding Subsections (b) and (c).

(e) Provides exceptions to a person's eligibility for an exemption under this section.

(f) Provides that, for purposes of Subsection (e), a summer session that is less than nine weeks in duration is considered one-half of a summer session.

(g) Requires THECB to adopt rules governing the granting or denial of an exemption under this section, including rules relating to the determination of eligibility for an exemption, and to adopt a uniform application form for an exemption under this section.

SECTION 2. Amends Chapter 61, Education Code, by adding Subchapter EE, as follows:

SUBCHAPTER EE. ALLIED HEALTH FACULTY ENHANCEMENT GRANTS

Sec. 61.9751. DEFINITIONS. Defines "allied health profession" and "allied health program."

Sec. 61.9752. ALLIED HEALTH FACULTY ENHANCEMENT GRANTS. Authorizes THECB to award allied health faculty enhancement grants to allied health programs to assist the programs in the education, recruitment, or retention of faculty members to enable the programs to train students to meet the state's need for health care providers in the allied health professions generally or in specific allied health professions as the board determines appropriate.

Sec. 61.9753. USE OF GRANT. Prohibits a grant awarded under this subchapter from being used for a purpose specified by Section 61.9752, including providing salary supplements and enhancements and reducing the number of hours a faculty member must teach.

Sec. 61.9754. MATCHING FUNDS FOR GRANT. Authorizes THECB, when awarding a grant, to require the receiving institution of a grant to provide matching funds or give preference to an institution that provides matching funds.

Sec. 61.9755. ADVISORY COMMITTEE. Authorizes THECB to appoint an advisory committee to advise the board on successful strategies, in addition to grants awarded under this subchapter, for educating, recruiting, or retaining qualified allied health program faculty members who hold master's or doctoral degrees.

SECTION 3. Amends Subchapter B, Chapter 1372, Government Code, by adding Section 1372.0224, as follows:

Sec. 1372.0224. DEDICATION OF PORTION OF STATE CEILING FOR ALLIED HEALTH PROGRAM FACULTY MEMBER HOME LOAN PROGRAM. Requires \$5 million to be allotted each year out of the portion of the state ceiling that is available exclusively for reservations by issuers of qualified mortgage bonds under Section 1372.022, until August 1, and made available exclusively to the Texas State Affordable Housing Corporation (corporation) for the purpose of issuing qualified mortgage bonds in connection with the allied health program faculty member home loan program established under Section 2306.5623.

SECTION 4. Amends Sections 2306.553(a) and (b), Government Code, to replace existing text listing specific occupations and home loan programs for which the corporation provides certain activities and services to generally apply to persons who are eligible for loans under the home loan programs provided by Sections 2306.562 (Professional Educators Home Loan Program), 2306.5621 (Firefighter and Law Enforcement or Security Officer Home Loan Program), 2306.5622 (Professional Nursing Program Faculty Member Home Loan Program), and 2306.5623. Makes conforming and nonsubstantive changes.

SECTION 5. Amends Subchapter Y, Chapter 2306, Government Code, by adding Section 2306.5623, as follows:

Sec. 2306.5623. ALLIED HEALTH PROGRAM FACULTY MEMBER HOME LOAN PROGRAM. Defines "graduate allied health program," "home," "mortgage lender," "allied health program faculty member," and "program."

- (b) Requires the corporation to establish a program that provides eligible allied health program faculty members with low-interest home mortgage loans.
- (c) Sets forth the requirements that a person filing an application for the loan is required to meet in order to be eligible for a loan under this section.
- (d) Authorizes the corporation to contract with other agencies of the state or with private entities to determine applicant eligibility for allied health program faculty members under this section or otherwise to administer all or parts of this section.
- (e) Authorizes the board of directors of the corporation to set and collect from each applicant any fees the board considers reasonable and necessary to cover the expenses of administering the program.
- (f) Requires the board of directors of the corporation to adopt rules that govern certain aspects of the home loan program.
- (g) Requires the corporation to ensure that a loan under this section is structured in a way that complies with any requirements associated with the source of the funds used for the loan.
- (h) Authorizes the corporation to solicit and accept funding from certain sources in addition to funds set aside for the program under Section 1372.0224.
- (i) Provides that this section expires September 1, 2018.

SECTION 6. (a) Makes application of Sections 54.223 and 54.224, Education Code, except as provided by Subsection (b) of this section, prospective to the 2008 fall semester.

(b) Requires THECB to adopt rules and forms related to tuition exemptions under Sections 54.223 and 54.224, Education Code, as added by this Act, by January 1, 2008.

SECTION 7. Requires the corporation to aggressively pursue funding for the allied health program faculty member home loan program required by Section 2306.5623, Government Code, as added by this Act, and to implement the allied health program faculty member home loan program by September 1, 2007, or as soon thereafter as practicable.

SECTION 8. Effective date: upon passage or September 1, 2007.