

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** HB 121a

**52nd Legislature, 1st Session, 2015**

**Tracking Number:** .198787.1

**Short Title:** Use of Nurse Educators Fund

**Sponsor(s):** Representatives Terry H. McMillan and Don L. Tripp

**Analyst:** Travis Dulany

**Date:** March 17, 2015

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**AS AMENDED**

**The Senate Education Committee amendment adds “doctor of nursing practice” to the list of degrees supported by the fund.**

**Original Bill Summary:**

HB 121 amends the purpose of the Nurse Educators Fund to enable the attainment of Bachelor of Science, Master of Science, and Doctor of Philosophy degrees in nursing programs by:

- nursing educators employed by a public postsecondary educational institution; and
- registered nurses seeking employment as nursing educators in a public postsecondary educational institution.

The bill also:

- requires that the Higher Education Department (HED) develop rules for continuing employment or pay-back provisions for current and future nursing educators who use the fund; and
- transfers the Nurse Educators Fund from the Commission on Higher Education (the agency that preceded HED) to the State Treasury, with the fund to be administered by HED.

**Fiscal Impact:**

HB 121 does not contain an appropriation.

**Fiscal Issues:**

According to HED, the department budgeted \$145,500 for the Nurse Educator Fund program in FY 15. The program was supported through fund balance carried forward from prior fiscal years, and, according to HED, the department does not anticipate that there will be adequate fund balance to support the program in FY 16.

## **Substantive Issues:**

HED notes that, in addition to a shortage of nurse practitioners, New Mexico has a shortage of nursing instructors. Because most nurses in New Mexico have only an associate degree, most are not qualified to teach. Expanding Nurse Educator Fund recipient eligibility to assist these nurses in attaining higher degrees could help to increase the number of nursing instructors and thereby increase the number of nurse practitioners in the state.

The Department of Health emphasizes that New Mexico's nursing shortage is worse than the national average – approximately one-third of New Mexico's nurses are at or above retirement age. Further, according to information cited by the University of New Mexico Health Sciences Center (HSC), state nursing schools are unable to expand the capacity of nursing education programs. HSC also reports that state nursing schools turn away several hundred applicants each year.

## **Background:**

As explained below, statute provides for several health-related loan-for-service programs. Though these programs are similar in nature, particularly with regard to their goal of increasing the number of professionals in underserved areas, each program varies in its service or repayment requirements:

- The purpose of the **Nurse Educators Fund** is to enhance the ability of college- and university-employed nursing educators to obtain Bachelor of Science, Master of Science, and Doctor of Philosophy degrees. According to HED rule, loan amounts may not exceed \$5,000 per year, and an eligible student must be:
  - a New Mexico resident;
  - A US citizen or a permanent eligible non-citizen;
  - accepted by a public, postsecondary institution into a degree-granting nursing education program necessary to enhance or gain employment in a nursing faculty position;
  - enrolled in at least three credit hours at the time the loan is awarded and disbursed; and
  - currently practicing, or must have declared intent to practice, as a nurse educator at an eligible institution.
- The **Medical Student Loan for Service Act** provides for loans for medical and physician's assistant students in order to increase the number of practitioners in less-populated areas of the state.
- The **Osteopathic Medical Student Loan for Service Act** provides for loans for osteopathic medical students and osteopathic physician's assistant students in order to increase the number of practitioners in less-populated areas of the state.
- The **Nursing Student Loan for Service Act** seeks to address the shortage of nurses in underserved areas of the state by increasing the number of practitioners in rural areas.
- The **Allied Health Student Loan for Service Act** provides loans to allied health students who declare their intent to practice within one of the areas of the state that HED has designated as underserved. The following professions qualify as "allied health profession" under the act:

- physical therapy;
  - occupational therapy;
  - speech-language pathology;
  - audiology;
  - pharmacy;
  - nutrition;
  - respiratory care;
  - laboratory technology;
  - radiologic technology;
  - dental hygiene;
  - mental health services;
  - emergency medical services; or
  - a licensed or certified health profession as defined by HED.
- The ***Health Professional Loan Repayment Act*** provides for repayment of the principal and “reasonable interest” accrued on loans obtained from the federal government or a commercial lender for health education purposes. The purpose of the act is to increase the number of health professionals in underserved areas of the state. “Health professional” includes:
    - primary care physicians;
    - optometrists;
    - podiatrists;
    - physician’s assistants;
    - dentists;
    - nurses;
    - members of an allied health profession as defined in the *Allied Health Student Loan for Service Act*; or
    - a licensed or certified health professional as determined by HED.

**Committee Referrals:**

HHC/HEC/SEC/SFC

**Related Bills:**

CS/HB 52 *Limit Some Health No Compete Provisions*  
 HB 81 *Patient Safe Staffing Act*  
 HB 334 *ENMU Nursing Program*  
 SB 284aa *Patient Safe Staffing Act*  
 SB 299a *Nurse Practitioner Scope of Practice*  
 SB 341a *Use of Nurse Educators Fund for Degree*  
 SB 388 *ENMU Nursing Program*  
 SM 67 *“NM Student Nurses Day”*