

B-Engrossed
Senate Bill 932

Ordered by the Senate June 22
Including Senate Amendments dated April 7 and June 22

Sponsored by Senators DEMBROW, COURTNEY, Representatives VEGA PEDERSON, GALLEGOS, KOMP

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Extends eligibility for receiving Oregon financial aid scholarships and grants to certain students who qualify for exemption from paying nonresident tuition.

Removes requirements that certain students must enroll at public university within three years of graduating high school or graduate from public university within five years of initial enrollment to be entitled to exemption from nonresident tuition and fees at public universities.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to cost of attending public universities; creating new provisions; amending ORS 348.180,
3 348.210, 348.265, 348.283, 348.303, 348.320 and 351.641; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 348.180 is amended to read:

6 348.180. As used in this section and ORS 348.186, 348.205, 348.230, 348.250, 348.260 and 348.285:

7 (1) "Cost of education" includes but is not limited to, tuition, fees and living expenses.

8 (2) "Eligible post-secondary institution" means:

9 (a) A public university listed in ORS 352.002;

10 (b) A community college operated under ORS chapter 341;

11 (c) The Oregon Health and Science University; or

12 (d) An Oregon-based, generally accredited, not-for-profit institution of higher education.

13 (3) "Qualified student" means any resident student, **or student exempted from paying non-**
14 **resident tuition under ORS 351.641**, who plans to attend an eligible post-secondary institution and
15 who:

16 (a) Has not achieved a baccalaureate or higher degree from any post-secondary institution;

17 (b) Is enrolled in an eligible program as defined by rule of the Higher Education Coordinating
18 Commission; and

19 (c) Is making satisfactory academic progress as defined by rule of the commission.

20 **SECTION 2.** ORS 348.210 is amended to read:

21 348.210. (1) In addition to any other scholarships provided by law, the Higher Education Coor-
22 dinating Commission may award scholarships at Eastern Oregon University to resident undergrad-
23 uate students, **or undergraduate students exempted from paying nonresident tuition under**
24 **ORS 351.641**, applying for enrollment in the university or who are pursuing courses therein. The
25 number of students who receive scholarships under this subsection may not exceed two and one-half
26 percent of the number of students who are enrolled at the university. The scholarships shall be

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 awarded upon the basis of a record of high intellectual standing and deportment in the school or
2 institution where the applicant has received or is receiving preparatory training, the necessity for
3 financial assistance and other qualifications of such nature that the awarding of scholarships will
4 operate not only to the advantage of the applicant but to the people of Oregon. A scholarship
5 awarded under this subsection may not exceed in value the amount of the tuition and other fees,
6 including the fees that are levied against the recipient of the scholarship by the university.

7 (2)(a) The commission may award tuition and fee-exempting scholarships to students from for-
8 eign nations who are enrolled in public universities listed in ORS 352.002. A student may not receive
9 a scholarship under this subsection that exceeds the amount of tuition and fees owed by the student.

10 (b) **For purposes of this section, a student exempted from paying nonresident tuition**
11 **under ORS 351.641 is not considered a student from a foreign nation.**

12 (3) The value of scholarships awarded each year under subsection (2) of this section may not
13 exceed in aggregate an amount equal to 10 percent of the amount of tuition and fees paid in the
14 preceding year by students enrolled in public universities listed in ORS 352.002 who were not
15 Oregon residents.

16 **SECTION 3.** ORS 348.265 is amended to read:

17 348.265. (1) In addition to any other form of student financial aid authorized by law, the Higher
18 Education Coordinating Commission may award grants to qualified [*residents of this state*] **appli-**
19 **cants** who are enrolled in the professional medical, nursing or dental programs at the Oregon
20 Health and Science University.

21 (2) A qualified applicant for a grant under this section is one who:

22 (a) **Is a resident of this state or is exempted from paying nonresident tuition under ORS**
23 **351.641; and**

24 (b) Plans to attend the Oregon Health and Science University but whose financial capacity and
25 that of the applicant's family to contribute to the educational costs are not adequate to meet such
26 costs, as determined by the Executive Director of the Office of Student Access and Completion.

27 (3) Grants may be received by a student each year of attendance depending on the continuing
28 need of the student for the grant.

29 (4) No grant awarded under this section shall exceed the amount of the difference between the
30 award year tuition and fees assessed and the tuition and fees assessed for that program in the aca-
31 demic year 1976-1977.

32 **SECTION 4.** ORS 348.283 is amended to read:

33 348.283. (1) There is established within the Higher Education Coordinating Commission the
34 Oregon Troops to Teachers program. Through the program, the commission shall pay for all of the
35 resident tuition charges of a veteran imposed by a public post-secondary institution, provided the
36 veteran:

37 (a) Was discharged from the Armed Forces of the United States;

38 (b) Is a resident of Oregon **or is exempted from paying nonresident tuition under ORS**
39 **351.641; and**

40 (c) Agrees to teach:

41 (A) In an Oregon school district or public charter school classified as serving a high poverty
42 area for not less than three years; or

43 (B) In the area of mathematics, science or special education for not less than four years.

44 (2) An award under subsection (1) of this section shall be used for the purpose of paying resident
45 tuition. The commission may not award funds under subsection (1) of this section for the purpose

1 of paying for books, supplies, housing, food or any other costs associated with attending a public
2 post-secondary institution.

3 (3) The commission shall adopt rules necessary for the implementation and administration of this
4 section in consultation with the Department of Education, the Oregon University System and the
5 public universities with governing boards listed in ORS 352.054.

6 **SECTION 5.** ORS 348.303 is amended to read:

7 348.303. (1) As used in this section:

8 (a) “Designated service site” means a rural health clinic as defined in 42 U.S.C. 1395x(aa)(2), a
9 rural critical access hospital as defined in ORS 315.613, a federally qualified health center as defined
10 in 42 U.S.C. 1396d(l)(2) or any geographic area, population group or facility that is located in Oregon
11 and has been designated by the Health Resources and Services Administration of the United States
12 Department of Health and Human Services as a health professional shortage area, a medically
13 underserved area or a medically underserved population.

14 (b) “Health care practitioner” means a:

15 (A) Physician licensed under ORS chapter 677;

16 (B) Dentist licensed under ORS chapter 679;

17 (C) Nurse practitioner licensed under ORS 678.375 to 678.390;

18 (D) Physician assistant licensed under ORS 677.505 to 677.525; or

19 (E) Certified registered nurse anesthetist licensed under ORS chapter 678.

20 (c) “Participant” means a person who has been selected by the Oregon Health and Science
21 University to receive a scholarship under subsection (5) of this section.

22 (d) “Prospective health care practitioner” means a person who has been accepted into, but has
23 not yet started, a health care program at the Oregon Health and Science University that meets the
24 educational requirements for licensure as a physician, dentist, nurse practitioner, physician assistant
25 or certified registered nurse anesthetist.

26 (e) “Service agreement” means the agreement executed by a prospective health care practitioner
27 under subsection (3) of this section.

28 (2) There is created the Scholars for a Healthy Oregon Initiative, to be administered by the
29 Oregon Health and Science University pursuant to rules adopted by the university.

30 (3) A prospective health care practitioner who wishes to participate in the initiative shall submit
31 an application to the Oregon Health and Science University in accordance with rules adopted by the
32 university. To be eligible to be a participant in the initiative, a prospective health care practitioner
33 must:

34 (a) Have been accepted into, but not yet started, the first year of the prospective health care
35 practitioner’s health care education at the Oregon Health and Science University;

36 (b) Be considered a resident of Oregon under the university’s admission guidelines **or qualify**
37 **as a student exempted from paying nonresident tuition under ORS 351.641;**

38 (c) Execute a service agreement stating that:

39 (A) Immediately upon the prospective health care practitioner’s completion of the health care
40 education degree, residency or training, as established for each degree by the Oregon Health and
41 Science University by rule, the participant will practice as a health care practitioner in a designated
42 service site in this state approved by the university for one year longer than the number of years
43 the participant spent in the health care program for which the participant received a scholarship;
44 and

45 (B) While practicing as a health care practitioner in a designated service site, the participant

1 must see all patients, regardless of any patient's ability to pay for services; and

2 (d) Meet other requirements established by the university by rule.

3 (4) The Oregon Health and Science University may select participants from among the pro-
4 spective health care practitioners who submit applications as provided in subsection (3) of this sec-
5 tion. The university shall give preference to prospective health care practitioners who are:

6 (a) Individuals admitted to the Oregon Health and Science University as a student from rural
7 heritage, as defined by the university's admission policy;

8 (b) First generation college students; or

9 (c) Individuals from a diverse or underrepresented community.

10 (5) The Oregon Health and Science University shall provide a scholarship covering the entire
11 cost of tuition and fees for the participant's health care education at the university.

12 (6) A participant receiving a scholarship under subsection (5) of this section who fails to com-
13 plete the terms of the service agreement shall repay the amount received plus an additional penalty
14 of 25 percent of the amount received to the Oregon Health and Science University. The total amount
15 to be paid to the university under this subsection shall be reduced for every full year that the par-
16 ticipant complied with the service agreement on a pro rata basis, as computed by the total number
17 of years agreed to in the service agreement.

18 (7) A participant receiving a scholarship under subsection (5) of this section who fails to com-
19 plete the health care degree for which the scholarship was awarded shall repay the amount received
20 to the Oregon Health and Science University.

21 (8) In the event that a participant is required to repay the Oregon Health and Science Univer-
22 sity under subsection (6) or (7) of this section, the university may:

23 (a) Collect any amounts due;

24 (b) Have any amounts due be collected by the Collections Unit in the Department of Revenue
25 under ORS 293.250; or

26 (c) Contract with a collections agency to collect any amounts due.

27 (9) Any moneys received or collected by the Oregon Health and Science University under sub-
28 sections (6) to (8) of this section shall be deposited into a separate fund held by the university for
29 the purpose of carrying out the provisions of this section. The university may not use the moneys
30 in these funds for any other purpose.

31 (10) The Oregon Health and Science University may accept funds from any public or private
32 source for the purposes of carrying out the provisions of this section.

33 (11) Not later than December 1 of each even-numbered year, the Oregon Health and Science
34 University shall report to the Legislative Assembly on the status of the Scholars for a Healthy
35 Oregon Initiative. The report shall include, for the previous biennium:

36 (a) The total number of active participants in the initiative; and

37 (b) A breakdown of active participants in the initiative by health care practitioner category.

38 **SECTION 6.** ORS 348.320 is amended to read:

39 348.320. (1) A person shall be eligible for a loan under ORS 348.310 to 348.390 if the person is:

40 (a) A bona fide resident of this state **or is exempted from paying nonresident tuition under**
41 **ORS 351.641;**

42 (b) Accepted for enrollment, or is a student in good standing in the professional medical program
43 at an accredited medical school located in the United States or in an accredited school of
44 osteopathic medicine;

45 (c) As a result of personal financial resources, unable to pursue a program of study in the ab-

1 sence of a loan or would be unable to do so without great hardship; and

2 (d) Desirous of practicing medicine in a rural community in this state, and in an area which
3 meets the qualifications of a medical shortage area.

4 (2) The person desiring consideration for a loan under ORS 348.310 to 348.390 shall apply to the
5 Executive Director of the Office of Student Access and Completion.

6 (3) The person desiring consideration for a loan under ORS 348.310 to 348.390 shall agree in
7 writing to practice medicine in a medical shortage area as defined by the Oregon Health Authority,
8 for a period equal to the period covered by the loan, but no less than two years.

9 **SECTION 7.** ORS 351.641 is amended to read:

10 351.641. (1) The State Board of Higher Education shall exempt a student who is not a citizen
11 or a lawful permanent resident of the United States from paying nonresident tuition and fees for
12 enrollment in a public university listed in ORS 352.002 if the student:

13 (a) During each of the three years immediately prior to receiving a high school diploma or
14 leaving school before receiving a high school diploma, attended an elementary or a secondary school
15 in this state;

16 (b) During each of the five years immediately prior to receiving a high school diploma or leaving
17 school before receiving a high school diploma, attended an elementary or a secondary school in any
18 state or territory of the United States, the District of Columbia or the Commonwealth of Puerto
19 Rico;

20 (c) *[No more than three years before initially enrolling in a public university listed in ORS*
21 *352.002,]* Received a high school diploma from a secondary school in this state or received the
22 equivalent of a high school diploma; and

23 (d) Shows intention to become a citizen or a lawful permanent resident of the United States by
24 submitting to the public university the student attends or plans to attend:

25 (A) An official copy of the student's application to register with a federal immigration program
26 or federal deportation deferral program or a statement of intent that the student will seek to obtain
27 citizenship as permitted under federal law; and

28 (B) An affidavit stating that the student has applied for a federal individual taxpayer identifi-
29 cation number or other official federal identification document.

30 (2) The board shall exempt a student who is financially dependent upon a person who is not a
31 citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees
32 for enrollment in a public university listed in ORS 352.002 if the student:

33 (a) During each of the three years immediately prior to receiving a high school diploma or
34 leaving school before receiving a high school diploma, attended an elementary or a secondary school
35 in this state and resided in this state with the person upon whom the student is dependent;

36 (b) During each of the five years immediately prior to receiving a high school diploma or leaving
37 school before receiving a high school diploma, attended an elementary or a secondary school in any
38 state or territory of the United States, the District of Columbia or the Commonwealth of Puerto Rico
39 and resided with the person upon whom the student is dependent;

40 (c) *[No more than three years before initially enrolling in a public university listed in ORS*
41 *352.002,]* Received a high school diploma from a secondary school in this state or received the
42 equivalent of a high school diploma; and

43 (d) For a student who is not already a citizen or lawful permanent resident of the United States,
44 shows intention to become a citizen or a lawful permanent resident of the United States by submit-
45 ting to the public university the student attends or plans to attend:

1 (A) An official copy of the student's application to register with a federal immigration program
2 or federal deportation deferral program or a statement of intent that the student will seek to obtain
3 citizenship as permitted under federal law; and

4 (B) An affidavit stating that the student has applied for a federal individual taxpayer identifi-
5 cation number or other official federal identification document.

6 [(3) *A student continues to qualify for exemption from nonresident tuition and fees under subsection*
7 *(1) or (2) of this section for five years after initial enrollment under the exemption in a public university*
8 *listed in ORS 352.002.*]

9 [(4) (3) A student who is a citizen or a lawful permanent resident of the United States and who
10 has resided outside of Oregon for more than three years while serving in the Armed Forces of the
11 United States, but who otherwise meets the requirements of subsection (1) or (2) of this section, shall
12 qualify for exemption from nonresident tuition and fees for enrollment in a public university listed
13 in ORS 352.002 without having to reestablish residency in Oregon.

14 [(5) (4) The board shall adopt rules to implement the provisions of this section.

15 [(6) (5) Not later than July 1 of each year, the Oregon University System shall report to the
16 Speaker of the House of Representatives, the President of the Senate and the interim committees
17 of the Legislative Assembly with subject matter authority over higher education, for the preceding
18 academic year:

19 (a) The number of students that applied and were accepted into public universities under this
20 section; and

21 (b) The financial impact of this section on the Oregon University System.

22 **SECTION 8. The amendments to ORS 348.180, 348.210, 348.265, 348.283, 348.303, 348.320 and**
23 **351.641 by sections 1 to 7 of this 2015 Act first apply to grant and scholarship applications**
24 **submitted, and tuition charged, for the 2016-2017 academic year.**

25 **SECTION 9. In addition to and not in lieu of any other appropriation, there is appropri-**
26 **ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,**
27 **2015, out of the General Fund, the amount of \$43,499, for the purpose of carrying out the**
28 **provisions of ORS 348.180, 348.210, 348.265, 348.283, 348.303, 348.320 and 351.641, as amended**
29 **by sections 1 to 7 of this 2015 Act.**

30 **SECTION 10. This 2015 Act being necessary for the immediate preservation of the public**
31 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
32 **on its passage.**

33