

Enrolled
Senate Bill 932

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

CHAPTER

AN ACT

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

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

SECTION 1. ORS 348.180 is amended to read:

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

- (1) "Cost of education" includes but is not limited to, tuition, fees and living expenses.
- (2) "Eligible post-secondary institution" means:
 - (a) A public university listed in ORS 352.002;
 - (b) A community college operated under ORS chapter 341;
 - (c) The Oregon Health and Science University; or
 - (d) An Oregon-based, generally accredited, not-for-profit institution of higher education.
- (3) "Qualified student" means any resident student, **or student exempted from paying non-resident tuition under ORS 351.641**, who plans to attend an eligible post-secondary institution and

who:

- (a) Has not achieved a baccalaureate or higher degree from any post-secondary institution;
- (b) Is enrolled in an eligible program as defined by rule of the Higher Education Coordinating Commission; and
- (c) Is making satisfactory academic progress as defined by rule of the commission.

NOTE: Sections 2 and 3 were deleted by amendment. Subsequent sections were not renumbered.

SECTION 4. ORS 348.283 is amended to read:

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

- (a) Was discharged from the Armed Forces of the United States;
- (b) Is a resident of Oregon **or is exempted from paying nonresident tuition under ORS 351.641**; and
- (c) Agrees to teach:
 - (A) In an Oregon school district or public charter school classified as serving a high poverty area for not less than three years; or
 - (B) In the area of mathematics, science or special education for not less than four years.

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

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

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

SECTION 5. ORS 348.303 is amended to read:

348.303. (1) As used in this section:

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

(b) "Health care practitioner" means a:

(A) Physician licensed under ORS chapter 677;

(B) Dentist licensed under ORS chapter 679;

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

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

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

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

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

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

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

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

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

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

(c) Execute a service agreement stating that:

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

(B) While practicing as a health care practitioner in a designated service site, the participant must see all patients, regardless of any patient's ability to pay for services; and

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

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

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

- (b) First generation college students; or
- (c) Individuals from a diverse or underrepresented community.
- (5) The Oregon Health and Science University shall provide a scholarship covering the entire cost of tuition and fees for the participant's health care education at the university.
- (6) A participant receiving a scholarship under subsection (5) of this section who fails to complete the terms of the service agreement shall repay the amount received plus an additional penalty of 25 percent of the amount received to the Oregon Health and Science University. The total amount to be paid to the university under this subsection shall be reduced for every full year that the participant complied with the service agreement on a pro rata basis, as computed by the total number of years agreed to in the service agreement.
- (7) A participant receiving a scholarship under subsection (5) of this section who fails to complete the health care degree for which the scholarship was awarded shall repay the amount received to the Oregon Health and Science University.
- (8) In the event that a participant is required to repay the Oregon Health and Science University under subsection (6) or (7) of this section, the university may:
 - (a) Collect any amounts due;
 - (b) Have any amounts due be collected by the Collections Unit in the Department of Revenue under ORS 293.250; or
 - (c) Contract with a collections agency to collect any amounts due.
- (9) Any moneys received or collected by the Oregon Health and Science University under subsections (6) to (8) of this section shall be deposited into a separate fund held by the university for the purpose of carrying out the provisions of this section. The university may not use the moneys in these funds for any other purpose.
- (10) The Oregon Health and Science University may accept funds from any public or private source for the purposes of carrying out the provisions of this section.
- (11) Not later than December 1 of each even-numbered year, the Oregon Health and Science University shall report to the Legislative Assembly on the status of the Scholars for a Healthy Oregon Initiative. The report shall include, for the previous biennium:
 - (a) The total number of active participants in the initiative; and
 - (b) A breakdown of active participants in the initiative by health care practitioner category.

SECTION 6. ORS 348.320 is amended to read:

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

- (a) A bona fide resident of this state **or is exempted from paying nonresident tuition under ORS 351.641;**
- (b) Accepted for enrollment, or is a student in good standing in the professional medical program at an accredited medical school located in the United States or in an accredited school of osteopathic medicine;
- (c) As a result of personal financial resources, unable to pursue a program of study in the absence of a loan or would be unable to do so without great hardship; and
- (d) Desirous of practicing medicine in a rural community in this state, and in an area which meets the qualifications of a medical shortage area.

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

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

SECTION 7. ORS 351.641 is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed by Senate June 25, 2015

Received by Governor:

Repassed by Senate July 3, 2015

.....M.,....., 2015

Approved:

.....
Lori L. Brocker, Secretary of Senate

.....M.,....., 2015

.....
Peter Courtney, President of Senate

.....
Kate Brown, Governor

Passed by House July 2, 2015

Filed in Office of Secretary of State:

.....
Tina Kotek, Speaker of House

.....M.,....., 2015

.....
Jeanne P. Atkins, Secretary of State