

AN ACT

ENTITLED, An Act to establish a tuition reimbursement program for nurses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. A nurse is eligible to receive tuition reimbursement payments pursuant to this Act if the nurse is licensed to practice nursing pursuant to chapter 36-9 and agrees to practice full time as a nurse in an eligible health care facility for a minimum period of two years. However, no more than sixty nurses may participate in this program at any specified time.

Section 2. For purposes of this Act, an eligible health care facility is any facility in this state which:

- (1) Is licensed pursuant to chapter 34-12 or certified under Title XVIII or XIX of the Social Security Act as amended to December 31, 2001;
- (2) Agrees to provide its portion of the tuition reimbursement payments payable to a nurse who practices in the health care facility as required by this Act; and
- (3) Is determined to be eligible by the Department of Health.

Prior to making a determination under subdivision (3) of this section, the Department of Health shall promulgate rules pursuant to chapter 1-26 to establish specific criteria to evaluate each facility's need for nurses.

Section 3. A nurse who fulfills the requirements of this Act is entitled to receive tuition reimbursement in the amount of five thousand dollars.

Section 4. Any agreement for the payment of tuition reimbursement pursuant to this Act shall obligate the facility employing the nurse to provide a portion of the total amount of tuition reimbursement based on the following criteria: health care facilities in communities of two thousand five hundred persons or less shall provide twenty-five percent of tuition reimbursement payments and health care facilities in communities of greater than two thousand five hundred persons shall provide fifty percent of tuition reimbursement payments. When the facility certifies to the secretary of health

that it has paid the full amount for which it is obligated, the secretary of health shall pay to the nurse the remaining balance of the total tuition reimbursement amount. Reimbursement shall be paid upon the nurse's completion of the required two-year practice period. However, a facility may pay its portion of tuition reimbursement at any time during the two-year period.

Section 5. Any county or municipality may appropriate funds for the purpose of carrying out the provisions of this Act.

Section 6. No tuition reimbursement agreement entered into pursuant to the provisions of this Act is effective until it is filed with and approved by the secretary of health. The secretary may prescribe the form of agreements and procedures for approval by rules promulgated pursuant to chapter 1-26.

Section 7. No person may participate in the tuition reimbursement program established by this Act who is participating in, or has previously participated in, this or any other state or federal tuition reimbursement or forgiveness program.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1258

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1258

File No. _____

Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,

20__ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20__
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State