A. 7128A (Gunther) S.8175A (Reichlin-Melnick)

Overview

This bill would enact the "recruit, empower, support, pay, educate, connect and train (RESPECT) Nurses Act". The bill provides for educational, regulatory and financial support for higher education and professional nursing communities with the goal of increasing the number of nurses in New York.

The bill improves scholarship funding and provides stipends for the current nursing and future workforce while addressing shortages, particularly in underserved areas. Additionally, provisions in the bill aim to increase workforce diversity and recruit financially challenged students to healthcare. Further, to increase nurse educator ranks, the bill establishes stipends and faculty scholarships, and reduces loan repayment burdens.

The legislation also eases and redefines regulations to allow licensed and unregistered New York nurses and out of state licensed and registered nurses to work in the State, prohibits academic institutions from charging for clinical experiences, and defines a simulation percentage.

Lastly, the bill addresses nurse turnover and shortages by providing funding for nurse residency programs, promoting academic-practice collaborations and advancing provisions to attract licensed, registered retirees back to the workforce.

NYONEL Position

While NYONEL supports the bill's goals and objectives we do have concern over one particular provision. Specifically, allowing practice, on an emergency basis, as an RN, LPN, APRN or Clinical Nurse Specialist from other states/or countries. The fact that all jurisdictions noted do not have the same educational requirements and may even allow for licensure without the requirement of one of our specialties (such as maternal/child health) must be addressed prior to passage.

Should this provision remain in the bill in its current form, this could result in negative patient outcomes. Regardless of state agency approval, NYONEL is most concerned with patient outcomes and upholding nursing standards of practice. Preferred alternatives to consider would be the use of emergency orders and/or to consider joining the Multi-State Licensure Compact.

Bill Summary of Provisions

Specifically, the bill would:
- Add nursing to the list of undergraduate programs eligible for the STEM program scholarship where it rightfully belongs.
- Create the "Nursing Shortage Area" scholarship program for full-time nursing students. Scholarship would be equal to the value of the full cost of tuition, books, and fees for a nursing program offered by a SUNY school. To qualify for funds, the student must commit to work in a "Nursing Shortage Area" for 5 years.
- Establish various stipends including: $150-$200 a day for students attending school; transportation costs to and from school; child care services for students with one or more children; and tutoring services.
- Create "Pathway to Nursing scholarship" for healthcare workers enrolled in a part-time undergraduate NYS nursing program. Again, to qualify for funds, the student must commit to work in a "Nursing Shortage Area" for 5 years.
- Amend the Nursing Faculty Loan Forgiveness Program, by increasing awards to $15,000 per year, for a maximum award of $60,000 over 4 years.
- Create the "Nursing Shortage Loan Forgiveness" program, providing $8,000 per year to nurses to pay for student loan debt, for a maximum of $40,000 over 5 years. Nurses must practice full-time in a "Nursing Shortage Area" for 5 years.
- Establish the "Nursing Faculty Student Loan Refinancing Program" enabling HESC to buy up to $50,000 of nursing faculty student loan debt. Eligible students would need to be employed by a NYS college or university and apply to HESC to have their student loans paid in a lump sum to the lender. In return the student would pay back the State over time at a lower interest rate based on their annual salary and ability to pay.
- Prohibit hospitals and nursing homes from charging nursing students, or their institution, fees for clinical placements.
- Allow the Commissioner of Education to permit up to 50% of clinical nursing hours be satisfied through simulation training.
- Exempt eligible nurses collecting a public pension from the $35,000 earnings limitation if they are working as nursing faculty at a SED-accredited institution.
- Provide that only 50% of the income earned by a retired public employee who is currently employed as nursing faculty, at an SED-accredited institution, can be taxed by the state.
- Allow SED to permit a nurse to teach nursing courses at a higher education institution for up to 5 years without a master's or doctorate degree; empowers SED to determine credentials and experience for eligibility.
- Authorize LPNs, RNs, APNs, and CNSs to practice in the state even if they are not registered, licensed, or certified in NYS. Nurses in question must have a license in good standing within the US, Canada, or a country identified by SED and DOH. Nurses must acquire employment with a NYS healthcare provider or facility and must fulfill the

state's licensing and registration/certification requirements within 2 years of gaining employment.

- Provide a "Nurse Loan Repayment Program" for nursing home staff employed at a facility located in a nursing shortage area, or if the nursing home residents consist of a population that is typically underserved. Nurses who work in an underserved area for 4 years are eligible for up to $8000 per year/maximum of $32,000 over four years.
- Create the Nursing Preceptor Support fund, allowing hospitals and nursing homes to apply for up to $200,000 in grants for additional compensation to nursing preceptors, stipends for graduate students to provide clinical preceptorships, scheduling enough staff coverage to ensure preceptors have the time necessary to supervise nursing students and execute the didactic portion of preceptorships, and to cover the nursing preceptor continuing education.
- Allow hospital or nursing home in the state to partner with a post-secondary institution to submit a proposal to DOH for the development and implementation or improvement and continuation of a nursing residency program.
- Require the Commissioner of Education, in consultation with the Commissioner of Health to collect data and determine why NYS RNs are not working in a healthcare setting and determine what could bring those license holders back into the healthcare setting workforce.