

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 610 Department or Agency Alabama Board of Nursing  
Rule No. 610-X-12  
Rule Title Loan Repayment Program for Advanced Practice Nursing  
 New  Amend  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

\*\*\*\*\*  
Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer  Peggy Benson, RN, MSHA, MSN, NE-BC

Date May 19, 2016

DATE FILED  
(STAMP)

APA-2  
11/96

**ALABAMA BOARD OF NURSING**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Board of Nursing

**RULE NO. & TITLE:** Rule 610-X-12, Loan Repayment Program for  
Advanced Practice Nursing

**INTENDED ACTION:** The Alabama Board of Nursing proposes to promulgate rules to implement Alabama Act No. 2016-353, which establishes a Loan Repayment Program for Advanced Practice Nursing to be administered by the Board.

**SUBSTANCE OF PROPOSED ACTION:** The Alabama Board of Nursing proposes to establish Administrative Code, Rule 610-X-12, Loan Repayment Program for Advanced Practice Nursing. A copy of the proposed new rule may be found on the Board's web site, [www.abn.alabama.gov](http://www.abn.alabama.gov), under "laws" and then "proposed rule changes."

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written or verbal comments will be received by the Board of Nursing until 4:30 P.M. on Tuesday, July 5, 2016. Verbal or written comments should be directed to Peggy Benson, Executive Officer, at P.O. Box 303900, Montgomery, AL 36130-3900 or via electronic mail at [Peggy.Benson@abn.alabama.gov](mailto:Peggy.Benson@abn.alabama.gov) or via telephone at 334-293-5210.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

The record closes at 4:30 P.M. on Tuesday, July 5, 2016.

**CONTACT PERSON AT AGENCY:** Peggy Benson, Executive Officer



Executive Officer

ALABAMA BOARD OF NURSING  
ADMINISTRATIVE CODE

CHAPTER 610-X-12

Loan Repayment Program for Advanced Practice Nursing

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610-X-12-.01 Definitions

(1) Participant: Any person who applies for and is awarded a loan, as provided in Article 6 of Title 34, Chapter 21, Code of Alabama (1975).

(2) Eligible people: Students in accredited nursing education programs approved by the Board who are pursuing a graduate degree to become a certified registered nurse practitioner (CRNP), a certified nurse midwife (CNM), or a certified registered nurse anesthetist (CRNA); or CRNPs, CNMs, and CRNAs applying for loans for any previously completed scholastic year.

(3) Full-Time: 36-40 hours per week

(4) Immediate: Within three months (90 days) of graduation or receipt of loan.

(5) Area of Critical Need: An area of critical need shall be an area in Alabama with a critical need, as determined by the Board, for advanced practice nurses and shall not be a part of, or within five miles of, an urbanized area, as defined most recently by the U.S. Census Bureau.

Author: Alabama Board of Nursing  
Statutory Authority: Alabama Act No. 2016-353

610-X-11-.02 Participant Qualifications.  
An applicant for a graduate loan shall:

(1) Be a resident of the state of Alabama for at least one year preceding the time of making application for the loan.

(2) Have an active, unencumbered license as a registered nurse (RN) in Alabama.

(3) Be a person of good moral character.

(4) Either:

(a) Be accepted for an accredited graduate program on a track to become a certified registered nurse practitioner (CRNP), certified nurse midwife (CNM), or certified registered nurse anesthetist (CRNA); or

(b) Hold a degree from such a graduate program and be eligible for approval as a CRNP, CNM, or CRNA in the state of Alabama.

(5) Meet eligibility requirements.

(6) Agree to work immediately following graduation or loan approval in full-time practice as a CRNA, CRNP, or CNM in an area of critical need, as determined by the Board, for eighteen (18) months for each year he or she received a loan under the Program, subject to the requirements of Code of Alabama (1975), § 34-21-96.

(7) Agree to designate the area of critical need where the participant will work at the time specified by the Board.

(a) For participants currently enrolled in the graduate program for which the loan is being awarded, the participant shall designate the area of critical need where the participant will work within three months (90 days) of graduation.

(b) For participants who are CRNPs, CNMs, and CRNAs applying for loans for any previously completed scholastic year, the participant shall designate the area of critical need where the participant will work in the loan agreement.

(c) Once the participant designates the area of critical need where the participant will work, the participant may change the area of critical need where the participant will work only if approved by the Board and subject to the additional service requirements established in Code of Alabama (1975), § 34-21-96(c).

**Author:** Alabama Board of Nursing

**Statutory Authority:** Alabama Act No. 2016-353

**610-X-12-.03 Loan Conditions.**

- (1) Loans may be awarded for multiple years of graduate study, as specified in statute.
- (2) Each loan is limited to a maximum of twelve thousand dollars (\$12,000).
- (3) Participants shall be selected from the state of Alabama at large and, to the extent practicable, distributed throughout the State.
- (4) Participants shall agree to provide verification of employment when requested by the Board.
- (5) Participants shall sign a contract to repay the amount of the loan by working following graduation in full-time practice as a CRNA, CRNP, or CNM in an area of critical need for the time required in Code of Alabama (1975) § 34-21-96.
- (6) Participants shall notify the Board if any of the following conditions apply:
  - (a) Failure to complete the graduate nursing program when anticipated.
  - (b) Relocation.
  - (c) Employment following graduation from the graduate nursing program, as provided in this chapter.
  - (d) Failure to complete the minimum number of academic hours required by the loan repayment agreement.
  - (e) Withdrawal from the graduate nursing program.
- (7) The Board shall develop and prescribe such forms of application, agreements, or other documents as may be necessary to implement this chapter.

**Author:** Alabama Board of Nursing  
**Statutory Authority:** Alabama Act No. 2016-353

**610-X-12-.04 Application for Loan.**

- (1) An applicant for the program shall submit an online application by the deadline established by the Board.
- (2) Incomplete applications may not be considered.

(3) The applicant shall submit proof of:

(a) Residency in Alabama for one year prior to the date of application.

(b) Acceptance in or completion of an accredited graduate nursing program approved by the Board on a track to become a CRNP, CNM, or CRNA.

(4) Once selected, the applicant shall sign a loan repayment agreement for the total amount awarded.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Alabama Act No. 2016-353

**610-X-12-.05 Failure to Satisfy Conditions of Loan Repayment Agreement.**

(1) In the event that the participant defaults on or otherwise fails to honor the loan repayment agreement with the Board for any reason, the individual shall be liable for immediate repayment of the total principal loan amount plus interest and penalties, as specified in Code of Alabama (1975) § 34-21-98.

(2) The Board may excuse repayment of a loan, in whole or part, upon the death of a participant, or upon the participant's becoming disabled to the extent that he or she is no longer able to engage in the practice of nursing, or upon some other extreme hardship not the fault of the participant.

**Author:** Alabama Board of Nursing

**Statutory Authority:** Alabama Act No. 2016-353

**610-X-12-.06 Disbursement of Loan Funds.**

Payments to participants shall be made annually.

**Author:** The Alabama Board of Nursing

**Statutory Authority:** HB228

**610-X-12-.07 Identification of Areas of Critical Need**

(1) The Board shall meet annually to determine the areas of critical need for advanced practice nurses.

(2) Criteria for identification of areas of critical need shall include, but are not limited to:

(a) Availability of primary care providers in an area.

(b) Location in a non-urbanized area, as determined by

**Nursing**  
the US census Bureau.

**Chapter 610-X-12**

(3) In determining compliance with the service requirements as defined in this chapter, the Board shall consider only the primary practice site of a CRNP, CNM, and CRNA.

**Author:** Alabama Board of Nursing  
**Statutory Authority:** Alabama Act No. 2016-353

**610-X-12-.08 Disciplinary Action.**

Failure to comply with the provisions of any contract or loan repayment agreement as provided in this Chapter shall constitute grounds for discipline up to and including revocation of the Participant's nursing license.

**Author:** Alabama Board of Nursing  
**Statutory Authority:** Alabama Act No. 2016-353