

CHAPTER 4812

HIGHER EDUCATION SERVICES OFFICE

NURSES EDUCATION ACCOUNT

NURSING HOME OR INTERMEDIATE CARE
FACILITY NURSES EDUCATION ACCOUNT
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NURSING HOME OR INTERMEDIATE CARE FACILITY NURSES EDUCATION ACCOUNT

4812.0100 SCOPE.

Parts 4812.0100 to 4812.0170 apply to the nursing home or intermediate care facility nurses education account.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021; 18 SR 1141*

4812.0110 DEFINITIONS.

Subpart 1. **Scope.** The terms defined in Minnesota Statutes, section 136A.1357, are applicable to parts 4812.0100 to 4812.0170.

Subp. 2. **Eligible program participant.** An "eligible program participant" is a person planning to enroll or enrolled in a program of study designed to prepare the person to become a registered nurse or licensed practical nurse.

Subp. 3. **Emergency circumstances.** "Emergency circumstances" means those conditions that make it impossible for the participant to fulfill the service commitment. The conditions include death, total and permanent disability, or temporary disability lasting more than two years.

Subp. 4. **Qualified loans.** "Qualified loans" means:

- A. Perkins Loans/National Direct Student Loans (NDSLs);
- B. Stafford Loans/Guaranteed Student Loans (GSLs) and other comparable federal student loans;
- C. Supplemental Loans for Students (SLSs)/Auxiliary Loans to Assist Students (ALASs);
- D. Student Educational Loan Fund (SELF);
- E. federal Nursing Student Loans; and
- F. loan consolidation programs that only consolidate loan payments for loans specified in this subpart.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021; 18 SR 1141*

4812.0120 CRITERIA FOR SELECTION.

Subpart 1. **Classification of applicants.** The executive director shall place applicants in one of the following classifications:

- A. Minnesota residents who complete a nursing education program for a registered nurse or licensed practical nurse in Minnesota;
- B. Minnesota residents who complete a nursing education program for a registered nurse or licensed practical nurse outside Minnesota;
- C. applicants who are not Minnesota residents, but complete a nursing education program for a registered nurse or licensed practical nurse in Minnesota; or
- D. applicants who are not Minnesota residents and do not complete a nursing education program for a registered nurse or licensed practical nurse in Minnesota.

Subp. 2. **Insufficient award availability.** If more than ten applicants start to serve at least 30 hours per week as registered nurses or licensed practical nurses in nursing homes in

any given year, the executive director shall choose participants in the order specified in subpart 1 for participation. Applicants not chosen to participate initially must be placed on an alternate list from which additional participants will be chosen if a chosen participant declines to participate.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021*

4812.0130 APPLICATION PROCESS.

Subpart 1. **Letter of interest.** A person planning to enroll or enrolled in a program of study designed to prepare the person to become a registered nurse or licensed practical nurse must submit a letter of interest to the executive director before completion of a nursing education program. Upon receipt of a letter of interest from a prospective registered nurse or licensed practical nurse, the executive director shall send more detailed information about the program.

Subp. 2. **Application form and contract.** Before completion of the nursing education program, the prospective registered nurse or licensed practical nurse must complete and return the application form and contract provided by the executive director. The prospective registered nurse or licensed practical nurse agrees to serve at least one of the first two years following completion of the nursing education program providing nursing services in a licensed nursing home or intermediate care facility for persons with mental retardation or related conditions if chosen as a participant. Failure to complete and return the application form and contract by the specified deadline date results in the elimination of the applicant from the classification list.

Subp. 3. **Notification of service.** A program participant must notify the executive director in writing immediately after starting service as a nurse in a licensed nursing home or intermediate care facility for persons with mental retardation or related conditions. A program participant must work as a nurse in a licensed nursing home at least 30 hours per week.

Subp. 4. **Agreement or promissory note.** Before any payments are made by the executive director on qualified loans designated by the registered nurse or licensed practical nurse, the participant must sign the agreement or promissory note provided by the executive director.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021; 18 SR 1141*

4812.0140 LOAN PAYMENT.

Subpart 1. **Designation of loans.** Each program participant must designate which eligible loans the executive director must make payments on. Payments by the executive director cannot exceed \$3,000 per year for each participant.

Subp. 2. **Payment billings.** The participant must provide necessary information for payment purposes on eligible loans to the executive director in a timely manner. The participant must provide the executive director with all payment books for the designated loans or forward monthly billing statements for the loans so that the executive director has ample time to make the monthly payments on time.

Subp. 3. **Terms of payments.** The executive director shall make loan payments according to the terms and conditions of the designated loans to the lenders or servicers in an amount that, when annualized, does not exceed \$3,000 per year. The participant must continue to serve as a nurse in a licensed nursing home or intermediate care facility for persons with mental retardation or related conditions during the period the executive director is making loan payments for the participant.

Subp. 4. **Discontinuation of service.** The participant must reimburse the executive director for payments made during any period when the participant is not serving as a nurse in a licensed nursing home or intermediate care facility for persons with mental retardation or related conditions.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021; 18 SR 1141*

4812.0150 PENALTY FOR NONFULFILLMENT.

Subpart 1. **Payment amount.** If a participant fails to fulfill the service requirement of this program, the amount paid on designated loans by the executive director must be repaid with interest at a rate established according to Minnesota Statutes, section 270.75, subdivision 5. Interest accrues from the date the participant ceases to practice as a nurse in a licensed nursing home or intermediate care facility for persons with mental retardation or related conditions.

Subp. 2. **Payment plan.** The executive director shall set up a payment plan after consulting with the participant. The participant must repay the money within two years.

Subp. 3. **Waiver.** A participant may request a waiver from the repayment obligation from the executive director. The request must be in writing and must provide written documentation on the emergency circumstances that support the need for the waiver. The executive director shall review the documentation and shall grant a full or partial waiver if the executive director finds that the emergency circumstances justify the waiver.

Subp. 4. **Release of information.** The following information about the participant may be released to a consumer credit reporting agency until the participant has repaid in full all money owed the office:

- A. the name and address of the participant;
- B. the date the repayment started;
- C. the outstanding balance;
- D. the amount past due;
- E. the number of payments past due;
- F. the number of late payments in the previous 12 months; and
- G. the status or remarks code.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021; 18 SR 1141; L 1995 c 212 art 3 s 59*

4812.0160 PARTICIPANT RESPONSIBILITIES.

Subpart 1. **Service status verification.** Semiannually, the participant must complete and return to the executive director by the deadline the service status verification form provided by the executive director. The program participant shall receive the service status verification form six months from the date of entrance into the program, and every six months thereafter. The participant has 30 days from the date of receipt of the form to complete and return it to the executive director.

Subp. 2. **Status change.** The participant must inform the executive director in writing within 30 days of a change of address or service location.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021; 18 SR 2482*

4812.0170 INFORMATION; FORMS; TERMS.

Subpart 1. **Additional information.** The executive director may require additional information from the participant that is not inconsistent with law that is helpful in the executive director's judgment to efficiently administer the program.

Subp. 2. **Forms.** The executive director may provide to participants and require the use of uniform forms in the administration of the program.

Statutory Authority: *MS s 136A.04; 136A.16*

History: *17 SR 1021*