

Assembly Bill No. 45—Committee
on Government Affairs

CHAPTER.....

AN ACT relating to health care; creating a program to repay the student education loans of certain providers of health care; prescribing the requirements to receive repayment of student education loans under the program; providing for the administration of the program; providing certain funding for the program and the Nevada Health Service Corps; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the State Treasurer to perform certain duties relating to the financing of higher education, including designating a Student Loan Ombudsman and administering the Nevada College Savings Trust Fund and the Millennium Scholarship Trust Fund. (NRS 226.400, 226.560, 353B.320, 353B.350, 396.926) **Section 6** of this bill creates the Student Loan Repayment for Providers of Health Care in Underserved Communities Program to repay the student education loans of qualified providers of health care who work in certain underserved communities. **Section 6** requires the State Treasurer to ensure that at least 15 percent of the money available for the Program in any year is used to repay the student education loans of providers of health care who commit to practicing in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties). With regard to other money available for the Program, **section 6** requires the State Treasurer to prioritize certain providers of health care when awarding repayment of student education loans under the Program. **Section 8** of this bill requires the State Treasurer to adopt regulations prescribing: (1) the procedure the State Treasurer will use to repay the student education loans pursuant to **section 6**; and (2) the manner in which such prioritization will be implemented. **Section 7** of this bill prescribes the requirements for a provider of health care to be eligible for repayment of student education loans under the Program. **Section 8** requires the State Treasurer to adopt regulations to prescribe certain procedures and standards relating to the Program, including: (1) the procedure to apply for repayment of student education loans under the Program; (2) any additional standards for eligibility to receive repayment of student education loans under the Program; and (3) a methodology for determining the amount of repayment of a student education loan that a provider of health care may receive. **Section 8** also authorizes the State Treasurer to adopt any other regulations necessary to carry out the Program. **Sections 2-5** of this bill define certain terms related to the Program. **Sections 8 and 13** of this bill provide for the confidentiality of applications to receive repayment of student education loans under the Program and the personally identifiable information of applicants. **Section 9** of this bill: (1) authorizes the State Treasurer to employ the necessary staff to administer the Program; and (2) requires the State Treasurer to post certain information about the Program on an Internet website.

Section 11 of this bill requires the Student Loan Ombudsman to assist certain student loan borrowers to become aware of, qualify for and apply for the Program.

Section 10 of this bill creates the Account for Student Loan Repayment for Providers of Health Care in Underserved Communities in the State General Fund to fund the Program. **Section 12** of this bill requires the State Treasurer to transfer certain money from the Abandoned Property Trust Account to the Account for



Student Loan Repayment for Providers of Health Care in Underserved Communities.

Existing law authorizes the University of Nevada School of Medicine to establish a Nevada Health Service Corps to encourage practitioners to practice in areas of Nevada in which a shortage of that type of practitioner exists. (NRS 396.900) Existing law authorizes the School of Medicine to authorize the Corps to administer a program under which money for loans is repaid on behalf of practitioners who practice in such areas. (NRS 396.903) Existing law authorizes the School of Medicine to apply for matching money available for the program from the Federal Government. (NRS 396.902) **Section 12** requires the State Treasurer to transfer certain money from the Abandoned Property Trust Account to the School of Medicine for the purpose of obtaining such federal matching money.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 226 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this act.

Sec. 2. *As used in sections 2 to 10, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them those sections.*

Sec. 3. *“Program” means the Student Loan Repayment for Providers of Health Care in Underserved Communities Program created by section 6 of this act.*

Sec. 4. *“Provider of health care” means:*

- 1. A physician;*
- 2. A physician assistant licensed pursuant to chapter 630 or 633 of NRS;*
- 3. A dentist;*
- 4. A licensed nurse;*
- 5. A person who holds a license as an attendant or is certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to chapter 450B of NRS;*
- 6. An optometrist;*
- 7. An audiologist;*
- 8. A practitioner of respiratory care;*
- 9. A podiatric physician;*
- 10. A psychologist;*
- 11. A clinical professional counselor;*
- 12. A perfusionist;*
- 13. A pharmacist or pharmacy technician;*



14. *An associate in social work, a social worker, a master social worker, an independent social worker or a clinical social worker licensed pursuant to chapter 641B of NRS;*

15. *A midwife; or*

16. *A provider of doula services who is enrolled with the Division of Health Care Financing and Policy of the Department of Health and Human Services to receive reimbursement through Medicaid pursuant to NRS 422.27177.*

Sec. 5. *“Student education loan” has the meaning ascribed to it in NRS 226.510.*

Sec. 6. 1. *The Student Loan Repayment for Providers of Health Care in Underserved Communities Program is hereby created to repay the student education loans of providers of health care who are eligible for the Program pursuant to sections 7 and 8 of this act and any regulations adopted pursuant thereto.*

2. *The State Treasurer shall administer the Program.*

3. *In administering the Program, the State Treasurer shall:*

(a) *Ensure that persons who receive repayment of student education loans are committed to providing health care services in an underserved community in this State;*

(b) *Ensure that at least 15 percent of money available for the Program in any year be used to repay the student education loans of providers of health care who commit to practicing in a county whose population is less than 100,000, to the extent that such providers are participating in the Program;*

(c) *With regard to money available for the Program other than money used for the purpose described in paragraph (b), prioritize the repayment of student education loans for providers of primary care, providers of health care who commit to accepting as patients recipients of Medicaid or insurance pursuant to the Children’s Health Insurance Program and other providers of health care specified by the regulations adopted by the State Treasurer pursuant to section 8 of this act; and*

(d) *Work collaboratively to raise awareness about the Program with organizations that work with providers of health care and students studying to become providers of health care, including, without limitation:*

(1) *Educational institutions in this State, including, without limitation, institutions in the Nevada System of Higher Education;*

(2) *Organizations that represent medical students and other students studying to become providers of health care;*

(3) *Organizations that represent providers of health care;*

(4) *Tribal governments; and*



(5) Organizations who advocate for improved health outcomes in minority communities.

4. As used in this section, “primary care” means the practice of family medicine, pediatrics, internal medicine, psychiatry or obstetrics and gynecology.

Sec. 7. *A provider of health care is eligible for repayment of a student education loan under the Program if the provider of health care:*

- 1. Is a current resident of this State;*
- 2. Is actively licensed, certified or registered in good standing to practice in this State as a provider of health care; and*
- 3. Commits to at least 5 years of clinical practice as a licensed, certified or registered provider of health care in this State:*

(a) In a census tract which, upon commencement of such clinical practice, is designated as a qualified census tract by the United States Secretary of Housing and Urban Development pursuant to 26 U.S.C. § 42(d)(5)(B)(ii);

(b) In a census tract which, upon commencement of such clinical practice, has a high level of social vulnerability as determined according to the Social Vulnerability Index developed by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services;

(c) In a community in which, according to the decennial census immediately preceding the commencement of such clinical practice, at least 20 percent of households were not proficient in the English language;

(d) On tribal lands or in a community where tribal members commonly reside;

(e) In a geographic area that has been subject to historical instances of redlining, segregation or other discriminatory practices on the basis of race, color, religion, national origin, disability, sexual orientation, sex or gender identity or expression, as determined by the State Treasurer in accordance with the regulations adopted pursuant to section 8 of this act; or

(f) In a county whose population is less than 100,000.

Sec. 8. *1. A provider of health care who meets the qualifications set forth in section 7 of this act and wishes to receive repayment of student education loans from the Program must submit an application to the State Treasurer in the form prescribed by the State Treasurer and comply with any regulations adopted pursuant to subsection 2.*

2. The State Treasurer:



(a) *Shall adopt regulations prescribing the procedures and standards, in addition to those prescribed by section 7 of this act, for determining the eligibility of a provider of health care to receive repayment of a student education loan from the Program.*

(b) *Shall adopt regulations establishing a methodology for determining the amount of repayment of a student education loan that a provider of health care is eligible to receive from the Program. That methodology must include, without limitation, a sliding scale that conditions the amount a provider of health care should receive from the Program on areas of specialization, type of degree and average loan burden for the particular field of health care in which the provider practices.*

(c) *Shall adopt regulations establishing the:*

(1) *Procedure that the State Treasurer will use to carry out the provisions of paragraph (b) of subsection 3 of section 6 of this act; and*

(2) *Manner in which the Program must prioritize the repayment of student education loans for the providers of health care pursuant to paragraph (c) of subsection 3 of section 6 of this act.*

(d) *Shall adopt regulations prescribing the manner in which the State Treasurer will determine whether a geographic area meets the requirements of paragraph (e) of subsection 3 of section 7 of this act.*

(e) *Shall adopt regulations prescribing the procedures for the repayment of a student education loan of a provider of health care who has been found eligible to receive such repayment from the Program.*

(f) *May adopt any other regulations necessary to carry out the Program.*

3. *The Program may not provide to a provider of health care more than \$120,000 for the repayment of student education loans.*

4. *The application of a provider of health care for repayment of a student education loan and any related personally identifiable information of the applicant is confidential.*

Sec. 9. The State Treasurer:

1. *May employ such staff as the State Treasurer deems necessary to administer the Program.*

2. *Shall post information about the Program, including, without limitation, the requirements to be eligible to receive repayment of student education loans from the Program and the procedure to apply for such repayment, on an Internet website maintained by the State Treasurer.*



Sec. 10. 1. *The Account for Student Loan Repayment for Providers of Health Care in Underserved Communities is hereby created in the State General Fund. The State Treasurer shall administer the Account.*

2. *Money for the Account may be provided:*

(a) *By direct legislative appropriation;*
(b) *By transfer from another account, including, without limitation, the Abandoned Property Trust Account created by NRS 120A.620; or*

(c) *As provided in subsection 5.*

3. *Money in the Account must be used solely:*

(a) *To administer the Account and the Program; and*
(b) *To repay the student education loans of providers of health care who have qualified for such repayment pursuant to sections 7 and 8 of this act.*

4. *The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.*

5. *The State Treasurer may apply for and accept any gift, donation, bequest, grant or other source of money for the purpose of administering the Program and repaying the student education loans of providers of health care who have qualified for repayment of student education loans pursuant to sections 7 and 8 of this act. The State Treasurer shall deposit any money so received into the Account.*

Sec. 11. NRS 226.570 is hereby amended to read as follows:

226.570 The Student Loan Ombudsman shall:

1. Receive, review and attempt to resolve any complaint from a student loan borrower, including, without limitation, attempting to resolve such a complaint in collaboration with an institution of higher education, a student loan servicer and any other person who participates in providing a student education loan.

2. Compile and analyze data on complaints as described in subsection 1.

3. Assist student loan borrowers to understand their rights and responsibilities under the terms of student education loans.

4. Provide information to the public, governmental agencies and the Legislature regarding the problems and concerns of student loan borrowers and make recommendations for resolving those problems and concerns.



5. Analyze and monitor the development and implementation of federal, state and local laws, regulations and policies relating to student loan borrowers and recommend any changes the Student Loan Ombudsman deems necessary.

6. Review the complete history of any student education loan for any student loan borrower who has provided written consent for such a review.

7. Disseminate information concerning the availability of the Student Loan Ombudsman to assist student loan borrowers, potential student loan borrowers, institutions of higher education, student loan servicers and any other persons who participate in providing a student education loan, with any concerns relating to student loan servicing.

8. *Assist student loan borrowers who are pursuing degrees in a health-related field to become aware of, qualify for and apply for the Student Loan Repayment for Providers of Health Care in Underserved Communities Program created by section 6 of this act.*

9. Take any other actions necessary to fulfill the duties of the Student Loan Ombudsman as set forth in this section.

Sec. 12. NRS 120A.620 is hereby amended to read as follows:

120A.620 1. There is hereby created in the State General Fund the Abandoned Property Trust Account.

2. All money received by the Administrator under this chapter, including the proceeds from the sale of abandoned property, must be deposited by the Administrator in the State General Fund for credit to the Account.

3. Before making a deposit, the Administrator shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property and the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company and the amount due. The record must be available for public inspection at all reasonable business hours.

4. The Administrator may pay from money available in the Account:

- (a) Any costs in connection with the sale of abandoned property.
- (b) Any costs of mailing and publication in connection with any abandoned property.
- (c) Reasonable service charges.
- (d) Any costs incurred in examining the records of a holder and in collecting the abandoned property.



(e) Any valid claims filed pursuant to this chapter.

5. Except as otherwise provided in NRS 120A.610, by the end of each fiscal year, the balance in the Account must be transferred as follows:

(a) The first \$7,600,000 each year must be transferred to the Millennium Scholarship Trust Fund created by NRS 396.926.

(b) The next \$1,000,000 each year must be transferred to the Grant Matching Account created by NRS 223.492.

(c) *The next \$2,500,000 each year must be transferred to the Account for Student Loan Repayment for Providers of Health Care in Underserved Communities created by section 10 of this act.*

(d) If the Nevada Health Service Corps is established pursuant to NRS 396.900, the next \$250,000 each year must be transferred to the University of Nevada School of Medicine for the purpose of obtaining matching money for the Corps from the Federal Government pursuant to subsection 1 of NRS 396.902.

(e) The remainder must be transferred to the State General Fund, but remains subject to the valid claims of holders pursuant to NRS 120A.590 and owners pursuant to NRS 120A.640 and any claims approved for payment by the Administrator pursuant to NRS 120A.525. No such claim may be satisfied from money in the Millennium Scholarship Trust Fund , ~~or~~ the Grant Matching Account ~~or~~ *or the Account for Student Loan Repayment for Providers of Health Care in Underserved Communities.*

6. If there is an insufficient amount of money in the Account to pay any cost or charge pursuant to subsection 4 or NRS 120A.525, the State Board of Examiners may, upon the application of the Administrator, authorize a temporary transfer from the State General Fund to the Account of an amount necessary to pay those costs or charges. The Administrator shall repay the amount of the transfer as soon as sufficient money is available in the Account.

Sec. 13. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,



127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465, 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407, 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534, 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116, 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805, 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,



463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830, 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672, 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332, 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283, 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055, 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158, 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087, 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185, 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340, 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217, 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760, 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126, 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and section 8 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or



may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate, including, without limitation, electronically, the confidential information from the information included in the public book or record that is not otherwise confidential.

4. If requested, a governmental entity shall provide a copy of a public record in an electronic format by means of an electronic medium. Nothing in this subsection requires a governmental entity to provide a copy of a public record in an electronic format or by means of an electronic medium if:

(a) The public record:

- (1) Was not created or prepared in an electronic format; and
- (2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

- (1) Give access to proprietary software; or
- (2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 14. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 13, inclusive, of this act become effective:



- (a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
- (b) On January 1, 2024, for all other purposes.

