

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Nursing Education Scholarships
- 2) Code Citation: 77 Ill. Adm. Code 597
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
597.10	Amended
597.20	New
597.30	New
597.100	Amended
597.110	Amended
597.200	Amended
597.220	Amended
597.230	New
597.310	Amended
597.320	Amended
597.330	Amended
- 4) Statutory Authority: Nursing Education Scholarship Law [110 ILCS 975]
- 5) Effective Date of Rulemaking: March 2, 2011
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposed Amendments Published in Illinois Register: October 29, 2010; 34 Ill. Reg. 16820
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version:

No changes were made to the proposed rulemaking during the first notice period.

The following changes were made in response to comments and suggestions of JCAR:

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In Section 597.10, the definition of "Advanced practice nurse" was changed from:

"Advanced practice nurse" or "APN" means a person who is a licensed registered professional nurse and meets the requirements for licensure as an advanced practice nurse under the Nurse Practice Act [225 ILCS 65]. Categories of advanced practice nurse include Certified Nurse Midwife (CNM), Certified Nurse Practitioner (CNP), Certified Registered Nurse Anesthetist (CRNA), or Certified Clinical Nurse Specialist (CNS) (see 68 Ill. Adm. Code 135.10"

to: "Advanced practice nurse" or "APN" means a person who has met the qualifications for a certified nurse midwife (CNM), certified nurse practitioner (CNP); certified registered nurse anesthetist (CRNA); or clinical nurse specialist (CNS) and has been licensed by the Department of Financial and Professional Regulation. (Section 50-10) of the Nurse Practice Act)

In Section 597.10 for the definition of "Business day", "federal or State government declared" was added after "a".

In Section 597.10 for the definition of "Calendar day", "federal or State government declared" was added after "and".

In addition, various typographical, grammatical, and form changes were made in response to the comments from JCAR.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Amendments are adopted due to changes in the Nursing Education Scholarship Law through Public Act 96-805. This rulemaking expands the categories of nursing degrees to include individuals pursuing a master's or doctorate degree in nursing and who wish to become nurse educators. Selection criteria was revised to include the graduate degree in nursing to become a nurse educator, and the scholarship award distribution formula was adjusted to include recipients pursuing graduate degrees in nursing to become a nurse educator. Also, selection criteria were changed to incorporate a merit factor.

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- 16) Information and questions regarding these adopted amendments shall be directed to:

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, 5th Floor
Springfield, Illinois 62761

217/782-2043
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The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER g: GRANTS TO DENTAL AND MEDICAL STUDENTS

PART 597
NURSING EDUCATION SCHOLARSHIPS

SUBPART A: ~~GENERAL PROVISIONS~~INTRODUCTION

Section	
597.10	Definitions
<u>597.20</u>	<u>Referenced Materials</u>
<u>597.30</u>	<u>Administrative Hearings</u>

SUBPART B: ELIGIBILITY AND APPLICATION

Section	
597.100	Eligibility
597.110	Application

SUBPART C: AWARD OF SCHOLARSHIPS

Section	
597.200	Scholarship Description
597.210	Determination of Financial Need
597.220	Selection Criteria for Award of Scholarships
<u>597.230</u>	<u>Student Enrollment and Institutions' Obligations</u>

SUBPART D: TERMS OF PERFORMANCE

Section	
597.300	Contract
597.310	Repayment of Scholarship
<u>597.320</u>	<u>Satisfaction</u> Forgiveness of Scholarship <u>Obligation</u>
597.330	Deferment of Scholarship Obligation

AUTHORITY: Implementing and authorized by the Nursing Education Scholarship Law [110 ILCS 975].

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SOURCE: Adopted at 17 Ill. Reg. 13763, effective August 10, 1993; amended at 18 Ill. Reg. 17720, effective November 30, 1994; amended at 21 Ill. Reg. 4828, effective March 29, 1997; amended at 23 Ill. Reg. 8824, effective August 1, 1999; amended at 26 Ill. Reg. 16965, effective November 8, 2002; amended at 32 Ill. Reg. 19813, effective December 5, 2008; amended at 35 Ill. Reg. 4609, effective March 2, 2011.

SUBPART A: GENERAL PROVISIONSINTRODUCTION**Section 597.10 Definitions**

"Academic year" means the period of time from September 1 of one year through August 31 of the next year or as otherwise defined by the academic institution. (Section 3(6) of the Law)

"Accepted for admission" means a student has completed the requirements for entry into an associate degree in nursing program, associate degree in applied sciences in nursing program, hospital-based diploma in nursing program, baccalaureate degree in nursing program, graduate degree in nursing program, or certificate in practical nursing program at an approved institution, as documented by the institution. (Section 3(10) of the Law)

"Administrative Law Judge" means the person appointed to preside at administrative hearings under Subpart A of this Part.

"Advanced practice nurse" or "APN" means a person who has met the qualifications for a certified nurse midwife (CNM), certified nurse practitioner (CNP); certified registered nurse anesthetist (CRNA); or clinical nurse specialist (CNS) and has been licensed by the Department of Financial and Professional Regulation. (Section 50-10 of the Nurse Practice Act)

"Approved institution" means a public community college, private junior college, hospital-based diploma in nursing program, or public or private college or university located in this State that has approval by the Department of Financial and Professional Regulation for an associate degree in nursing program, associate degree in applied sciences in nursing program, hospital-based diploma in nursing program, baccalaureate degree in nursing program, graduate degree in nursing program, or certificate in practical nursing program. (Section 3(3) of the Law)

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"Associate degree in nursing program" or "hospital-based diploma in nursing program" means a program offered by an approved institution and leading to an associate degree in nursing, associate degree in applied sciences in nursing, or hospital-based diploma in nursing. (Section 3(7) of the Law)

"Baccalaureate degree in nursing program" means a program offered by an approved institution and leading to a bachelor of science degree in nursing. (Section 3(4) of the Law)

"Business day" means any day, including Monday through Friday. It does not include a federal or State government declared holiday, Saturday or Sunday

"Calendar day" means all days in a month or prescribed time frame. It includes weekends and federal or State government declared holidays.

"Center for Nursing Advisory Board" means the board that advises the Department on issues affecting the nursing profession in Illinois (see Section 6.5(b) of the Law and the Nurse Practice Act).

"Class rank" is the measure of how a student's performance compares to other students in his or her class.

"Department" means the Illinois Department of Public Health. (Section 3(2) of the Law)

"Director" means the Director of the Illinois Department of Public Health. (Section 3(9) of the Law)

"Enrollment" means the establishment and maintenance of an individual's status as a nursing student in an approved institution, regardless of the terms used at the institution to describe such status. (Section 3(5) of the Law)

"Fees" means those mandatory charges, in addition to tuition, that all students enrolled in a nursing program must pay, including required course or lab fees. (Section 3(11) of the Law)

"Full-time nurse educator employment" means employment by an approved academic institution in Illinois to educate nursing students based on the academic institution's definition of full-time faculty status.

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"Full-time nursing employment" means providing direct patient care of at least 24 hours per week for those persons working weekend shifts, or 35 hours or more per week for those working weekday shifts.

"Full-time nursing student" means a student who is enrolled in a nursing program for at least 12 credit hours per term or as otherwise determined as full-time by the academic institution. (Section 3(12) of the Law)

"Grade point average" or "GPA" means a measure of a student's academic achievement, calculated by dividing the total number of grade points received by the total number of grade points attempted.

"Graduate degree in nursing program" means a program offered by an approved institution and leading to a master of science degree in nursing or a doctorate of philosophy or doctorate of nursing degree in nursing. (Section 3(8) of the Law)

~~*"Hospital-based diploma in nursing program" means a program offered by an approved institution and leading to a hospital-based diploma in nursing. (Section 3(7) of the Law)*~~

"Law" means the Nursing Education Scholarship Law [110 ILCS 975]. (Section 3(13) of the Law)

"Licensed practical nurse" means a person who is currently licensed as a licensed practical nurse by the Department of Financial and Professional Regulation under the Nurse Practice Act [225 ILCS 65]. (Section 3(18) of the Law)

"Mean-Weighted Average Tuition and Fees" means the tuition and mandatory fees used for the Illinois Public Universities and Illinois Community Colleges by the Illinois Student Assistance Commission for purposes of Monetary Award Program (MAP) grants, multiplied by the number of full-time equivalent undergraduate students enrolled at each such institution, added together, and divided by the sum of the full-time equivalent enrollments for the previous year at each institution. This figure is calculated once per year and is used regardless of whether individual institutions adjust their tuition and mandatory fees for that same year. The Mean-Weighted Average Tuition and Fees is calculated separately for Illinois Public Universities and Illinois Community Colleges (as cited in the COLLEGE ILLINOIS! Master Agreement and Disclosure Statement).

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"Monetary Award Program" or "MAP" means a grant awarded by the Illinois Student Assistance Commission (ISAC) that provides payment toward tuition and mandatory fees for Illinois residents to attend an Illinois college. Eligibility is based on financial need. The maximum award depends on legislative action and available funding each year.

"Nurse educator" means a person who is currently licensed as a registered nurse by the Department of Financial and Professional Regulation under the Nurse Practice Act, who has a graduate degree in nursing, and who is employed by an approved academic institution to educate registered nursing students, licensed practical nursing students, and registered nurses pursuing graduate degrees. (Section 3(23) of the Law)

"Nurse educator employment" means employment by an approved academic institution in Illinois to educate nursing students.

"Nurse educator employment obligation" means employment in this State as a nurse educator for at least two years for each year of scholarship assistance received under Section 6.5 of the Law. (Section 3(24) of the Law)

"Nursing employment obligation" means employment in this State as a registered professional nurse, ~~or~~ licensed practical nurse, or advanced practice nurse in direct patient care ~~or as a nurse educator in the case of a graduate degree in nursing program recipient~~ for at least one year for each year of scholarship assistance received through the Nursing Education Scholarship Program. (Section 3(14) of the Law)

"Part-time nursing employment" means providing direct patient care for between 17.5 hours and 34 hours per week.

"Part-time student" means a person who is enrolled for at least one-third of the number of hours required per term by a school for its full-time students. (Section 3(15) of the Law)

"Practical Nursing Program" means a program offered by an approved institution and leading to a certificate in practical nursing. (Section 3(16) of the Law)

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"Quarter" means a term within an academic year that marks the beginning and end of classes. Quarters are approximately eight to 10 weeks in duration and there are four quarters in an academic year.

"Registered professional nurse" means a person who is currently licensed as a registered professional nurse by the Department of Financial and Professional Regulation under the Nurse Practice Act [225 ILCS 65]. (Section 3(17) of the Law)

"School term" means an academic term, such as a semester, quarter, or trimester, or number of clock hours, as defined by an approved institution. (Section 3(19) of the Law)

"Semester" means a term within an academic year that marks the beginning and end of classes. Semesters are approximately 15 to 16 weeks in duration and there are two semesters in an academic year.

"Summer term" means a term within an academic year that marks the beginning and end of classes. The term is approximately four to nine weeks in duration and is typically offered during June, July and August of an academic year.

"Student in good standing" means a student enrolled in a nursing program maintaining a cumulative grade point average equivalent to at least an academic grade of "C". (Section 3(20) of the Law)

"Total and permanent disability" means a physical or mental impairment, disease, or loss of a permanent nature that prevents nursing employment with or without reasonable accommodation. Proof of disability shall be a declaration from the social security administration~~Social Security Administration~~, Illinois Workers' Compensation Commission, Department of Defense, or an insurer authorized to transact business in Illinois who is providing disability insurance coverage to a contractor. (Section 3(21) of the Law)

"Trimester" means a term within an academic year that marks the beginning and end of classes. Trimesters are approximately 12 to 15 weeks in duration and there are three trimesters in an academic year.

"Tuition" means the established charges of an institution of higher learning for instruction at that institution. (Section 3(22) of the Law)

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(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)

Section 597.20 Referenced Materials

The following materials are referenced in this Part:

- a) Illinois statutes:
- 1) Nursing Education Scholarship Law [110 ILCS 975]
 - 2) Nurse Practice Act [225 ILCS 65]
 - 3) Board of Higher Education Act [110 ILCS 205]
 - 4) Department of Public Health Powers and Duties Law [20 ILCS 2310/2310-200]
- b) Illinois Administrative Rules:
- 1) Nursing and Advanced Practice Nursing Act – Advanced Practice Nurse (68 Ill. Adm. Code 1305)
 - 2) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

(Source: Added at 35 Ill. Reg. 4609, effective March 2, 2011)

Section 597.30 Administrative Hearings

Administrative hearings conducted concerning the provisions of this Part shall be governed by the Department's Practice and Procedure in Administrative Hearings.

(Source: Added at 35 Ill. Reg. 4609, effective March 2, 2011)

SUBPART B: ELIGIBILITY AND APPLICATION

Section 597.100 Eligibility

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To qualify for consideration, an applicant ~~shall~~must meet the eligibility criteria outlined in Section 5 or 6.5 of the Law showing that the applicant:

- a) *Has been a resident of this State for at least one year prior to application, and is a citizen or a lawful permanent resident alien of the United States* (~~Sections~~Section 5(1) and 6.5(a)(1) of the Law); and
- b) *Is enrolled in or accepted for admission to an Illinois school in an associate degree in nursing program, hospital-based diploma in nursing program, baccalaureate degree in nursing program, graduate degree in nursing program or certificate in practical nursing program at an approved institution* (Section 5(2) of the Law); *and*
- c) *Agrees to meet the nursing employment obligation or the nurse educator employment obligation (as applicable)* (~~see the definition of "nursing employment obligation" in Section 597.10~~) (~~Sections~~Section 5(3) and 6.5(a)(3) of the Law).

(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)

Section 597.110 Application

- a) Application forms are prescribed by the Department and are available at financial aid offices, departments of nursing at approved schools, the Department's web site, or directly from the Department upon request.
- b) Incomplete applications and applications received after the published deadline will not be considered in the selection process. During the application cycle, all applicants will be notified in writing regarding the status of their applications. Corrections to the application must be made during this time period.
- c) *Each person applying for such a scholarship shall be provided with a copy of Section 6 or 6.5(e) of the Law at the time of application.* (~~Sections~~Section 6 and 6.5(e) of the Law)

(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)

SUBPART C: AWARD OF SCHOLARSHIPS

Section 597.200 Scholarship Description

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- a) A full-time nursing student in good standing pursuing *an associate degree in nursing* may receive a scholarship for *up to 2 academic years*. (Section 5 of the Law)
- b) A full-time nursing student in good standing pursuing *a hospital-based diploma in nursing* may receive a scholarship for *up to 3 academic years*. (Section 5 of the Law)
- c) A full-time nursing student in good standing pursuing *a baccalaureate degree in nursing* may receive a scholarship for *up to 4 academic years*. (Section 5 of the Law)
- d) A full-time nursing student in good standing pursuing *a graduate degree in nursing to become an advanced practice nurse* may receive a scholarship for *up to 5 academic years*. (Section 5 of the Law)
- e) A full-time nursing student in good standing pursuing *a certificate in practical nursing* may receive a scholarship for *up to one academic year*. (Section 5 of the Law)
- f) A full-time nursing student in good standing pursuing a graduate degree in nursing for the purpose of becoming a nurse educator may receive a scholarship for up to 3 years. (Section 6.5(c) of the Law)
- gf) Full-time tuition and fees awards for students at approved private institutions shall not exceed the tuition and fee charges at community colleges and universities statewide and the uniform living allowance reported in the weighted Monetary Award Program (MAP) budget for the academic year in which the scholarship is made. (Section 7 of the Law)
- hg) Part-time awards shall be determined by applying the proportion represented by the part-time enrollment to full-time enrollment ratio to the average per term scholarship amount for a student in the same nursing degree category. (Section 7 of the Law)
- ih) Using information provided annually by the Illinois Student Assistance Commission, 75% of the weighted tuition and fees charged by community colleges in Illinois shall be added to the uniform living allowance reported in the weighted

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Monetary Award Program (MAP) budget to determine the full-time scholarship amount for students pursuing an associate degree in nursing or a hospital-based diploma in nursing at an Illinois community college. (Section 7 of the Law)

- j) *Scholarship amounts for students pursuing associate ~~degrees in nursing~~, baccalaureate ~~degrees in nursing~~, or graduate degrees in nursing at a college or university shall include 75% of the weighted tuition and fees charged by public universities in Illinois plus the uniform living allowance reported in the weighted MAP budget. (Section 7 of the Law)*
- k) *Scholarship amounts for students in ~~certificate in~~ practical nursing programs shall include 75% of the average tuition and fees charges at all practical nursing programs plus the uniform living allowance reported in the weighted MAP budget. (Section 7 of the Law)*

(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)

Section 597.220 Selection Criteria for Award of Scholarships

- a) Scholarships awarded by the Department will be given to students who meet ~~all the~~ eligibility requirements in Section 597.100 of this Part and who agree to the provisions of the contract.
- b) Recipients shall be selected on the basis of the following criteria:
 - 1) ~~Recipients requesting a scholarship renewal~~ ~~Renewal recipients~~ will receive preference;
 - 2) *If in any year the number of qualified applicants exceeds the number of scholarships to be awarded, the Department shall, in consultation with the Center for Nursing Advisory Board, consider the following factors in granting priority in awarding scholarships:*
 - A) *Financial need, as shown on a current standardized financial needs assessment form used by an approved institution, of students pursuing their education on a full-time or close to full-time basis.*
 - B) *A student's status as a registered nurse who is pursuing a graduate degree in nursing to pursue employment in an approved institution*

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that educates licensed practical nurses and that educates registered nurses in undergraduate and graduate nursing programs.

C) *A student's merit, as shown through his or her grade point average, class rank, and other academic and extracurricular activities (Sections ~~Section~~ 5 and 6.5(b) of the Law), including, but not limited to:*

- i) A cumulative grade point average (GPA) of at least 3.0 on a 4.0 scale, or
- ii) Class rank in the 50th percentile or higher, or
- iii) Demonstration of academic achievement by having previously earned a certificate in practical nursing, a hospital-based diploma in nursing, ~~or~~ an associate degree in nursing, or a baccalaureate degree in nursing (as applicable).

3) In addition to the requirements in subsections (b)(1) and (b)(2), students pursuing a graduate degree in nursing who wish to become a nurse educator shall demonstrate their merit, as shown through their experience as a nurse, including supervisory experience, or experience as a nurse in the United States military. (Section 6.5(b)(3) of the Law)

43) In the event of a tie, students having the fewest number of credit hours remaining to complete the degree will be awarded scholarships.

c) Scholarship awards shall be distributed as follows:

- 1) *At least 40% of the scholarships awarded shall be for recipients who are pursuing baccalaureate degrees in nursing;*
- 2) *At least 30% of the scholarships awarded shall be for recipients who are pursuing associate degrees in nursing or a hospital-based diploma in nursing;*
- 3) *At least 20% of the scholarships awarded shall be for recipients who are*

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pursuing a graduate degree in nursing; and

- 4) *At least 10% of the scholarships awarded shall be for recipients who are pursuing a certificate in practical nursing. (Section 5 of the Law)*

(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)

Section 597.230 Student Enrollment and Institutions' Obligations

- a) An approved institution may accept a student into its nursing education program based on its own admission requirements, standards and policies.
- b) The Department shall disburse available scholarship funds for tuition and fees to the approved institution directly for the payment of tuition and other necessary fees or for credit against the student's obligation for tuition and fees. If the Department disburses scholarship funds directly to an approved institution, the approved institution shall be contractually obligated to provide facilities and instruction to the student on the same terms as to other students. (Section 9(a) of the Law)
- c) An approved institution shall provide written notice to the Department if any scholarship recipient who is enrolled in the approved institution ceases to be a student in good standing. The notice shall be sent to the Department within 10 business days after the institution determines that the student ceases to be in good standing.
- d) A student who receives a renewal scholarship shall either re-enroll in the approved institution that the student attended during the preceding academic year or enroll in another approved institution. The approved institution accepting the student for enrollment or re-enrollment shall notify the Department regarding the acceptance. The notice will be sent to the Department within 10 business days after the student's acceptance.

(Source: Added at 35 Ill. Reg. 4609, effective March 2, 2011)

SUBPART D: TERMS OF PERFORMANCE

Section 597.310 Repayment of Scholarship

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- a) Any recipient who defaults on the terms of the contract shall pay to the Department an amount equal to the amount of scholarship funds received per year for each unfulfilled year of the nursing employment obligation or nurse educator employment obligation, together with interest at 7% per year on the unpaid balance. (Sections 6 and 6.5(d) of the Law)
- b) Cash repayment must begin within 6 months following the date of the default action initiating the repayment. (SectionsSection 6 and 6.5(d) of the Law)
- c) Recipients in default shall enter into a Contract for Repayment with the Department as soon as the reason for default has been established. TheThis Contract for Repayment shall specify the amount due, the repayment schedule and all other terms of the cash repayment. Interest charges shall be completely waived if the recipient repays the total scholarship amount prior to the first payment due date.
- d) IfIn the event a recipient fails to pay monies owed to the Department, the Department may require a recipient to reimburse the State for expenses, including but not limited to legal fees and costs, incurred by the Department or other agent of the State for a successful legal action against the recipient for a breach of any provision of the scholarship contract and refer the recipientbe referred to the Illinois Attorney General or to a collection agency. The total 6-year interest shall be due if the recipient fails to fulfill the repayment requirements and the case is settled through authorized agencies outside the Department. (Section 4 of the Law)
- e) All cash repayments must be completed within 6 years from the date of the first annual cash payment. (SectionsSection 6 and 6.5(d) of the Law)
- f) In a breach of contract, the Department may utilize referral to the Department of Professional Regulation to revoke, suspend, refuse to renew, place on probationary status, or take other disciplinary action concerning the recipient's credentials. (Section 4 of the Law)
- g) The Department may allow a nurse educator employment obligation fulfillment alternative if the nurse educator scholarship recipient is unsuccessful in finding work as a nurse educator. The Department shall maintain a database of all available nurse educator positions in this State. (Section 6.5(d) of the Law) The

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Department shall utilize the following Internet address to ascertain all available nurse educator positions in Illinois: www.nursing.illinois.gov/ads.asp.

(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)

Section 597.320 Satisfaction~~Forgiveness~~ of Scholarship Obligation

- a) A recipient must graduate from the nursing program funded and provide a copy of the diploma or certificate that indicates the graduation date as soon as the document is available.
- b) A recipient must be licensed as a registered professional nurse or as a licensed practical nurse in the State of Illinois and must provide a copy of the license as soon as it is available.
- c) Fulfillment of the nursing employment obligation will be achieved as follows:
 - 1) For each full-time semester completed, the obligation is six months of full-time employment or 12 months of part-time employment;
 - 2) For each part-time semester completed, the obligation is **three** months of full-time employment or six months of part-time employment;
 - 3) For each full-time quarter or trimester completed, the obligation is four months of full-time employment or eight months of part-time employment;
 - 4) For each part-time quarter or trimester completed, the obligation is **two** months of full-time employment or **four** months of part-time employment;
 - 5) For each full-time summer term completed, the obligation is three months of full-time employment or **six** months of part-time employment;
 - 6) For each part-time summer term completed, the obligation is 1½ months of full-time employment or three months of part-time employment.
- d) Fulfillment of the nurse educator employment obligation will be achieved as follows:

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- 1) For each full-time semester completed, the obligation is 12 months of employment;
 - 2) For each part-time semester completed, the obligation is six months of employment;
 - 3) For each full-time quarter or trimester completed, the obligation is eight months of employment;
 - 4) For each part-time quarter or trimester completed, the obligation is four months of employment;
 - 5) For each full-time summer term completed, the obligation is six months of employment;
 - 6) For each part-time summer term completed, the obligation is three months of employment.
- e) ~~For each full-time semester, the nursing employment obligation is 6 months of full-time employment; for each part-time semester, the nursing employment obligation is 3 months of full-time employment; for each full-time quarter/trimester, the nursing employment obligation is 4 months of full-time employment; for each part-time quarter/trimester, the nursing employment obligation is 2 months of full-time employment; for each full-time summer term, the full-time nursing employment obligation is 3 months of full-time employment; for each part-time summer term, the full-time nursing employment obligation is 1½ months of full-time employment. The total nursing employment obligation for any one academic year shall not exceed 12 months of full-time employment.~~
- ed) *Within 12 months after graduation from an associate degree in nursing program, hospital-based diploma in nursing program, baccalaureate degree in nursing program, graduate degree in nursing program, or certificate in practical nursing program, any recipient who accepted a scholarship under Section 5 of the Act shall begin meeting the required nursing employment obligation or nurse educator employment obligation providing direct patient care or employment as a nurse educator in the case of a recipient receiving a graduate degree in nursing. (~~Sections~~Section 6 and 6.5(d) of the Law) Employment as a "license pending" nurse does not meet the nursing employment requirements. Fulfillment of the nursing employment obligation or nurse educator employment obligation must be*

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completed within a time period equivalent to twice the number of months of nursing employment obligation as described in ~~subsection~~ (c) and (d).

- (fe) Forms to document full-time and/or part-time nursing employment shall be sent to the recipient following graduation and licensure. Documentation forms will be forwarded periodically until the nursing employment obligation is completed, at which time the recipient will be notified and the record closed.
- (gf) If a recipient suffers a verifiable total and permanent disability, the nursing employment obligation or nurse educator employment obligation shall be excused and deemed satisfied. (See the definition of "total and permanent disability" in Section 597.10.)
- (hg) If a recipient dies or is adjudicated as incompetent, all scholarship obligations shall be excused and deemed satisfied. (See the definition of "total and permanent disability" in Section 597.10.) No claim for repayment may be filed against the estate of such a decedent or incompetent. (Sections 6 and 6.5(d) of the Law)

(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)

Section 597.330 Deferment of Scholarship Obligation

- a) The nursing employment *obligation may be deferred and re-evaluated* by a review of a written request from the recipient *every 6 months when the failure to fulfill the nursing employment obligation results from involuntarily leaving the profession due to a decrease in the number of nurses employed in the State or when the failure to fulfill the nursing employment obligation results from total and permanent disability.*
- b) *In order to defer the continuous nursing employment obligation, a recipient must request the deferment in writing from the Department and must provide a letter from his/her physician attesting to the recipient's inability (either temporarily or permanently) to continue employment. (Section 6 of the Law)*
- c) *A recipient shall notify the Department within 30 days if the recipient spends up to 4 years in military service before or after graduation and after completion of the nursing employment obligation. (Section 6 of the Law) The time spent in military service, up to 4 years, shall be excluded from the computation of the number of*

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months of nursing employment obligation as described in Section 597.320(c).

- d) *A recipient shall notify the Department within 30 days after enrollment if the recipient is enrolled in an academic program leading to a graduate degree in nursing. (Section 6 of the Law) The nursing employment obligation shall be deferred until he or she has completed a graduate degree in nursing.*
- e) *If a recipient receives funding through the Nursing Education Scholarship Program for a higher degree, the nursing employment obligation shall be deferred until he or she is no longer enrolled or has graduated with the higher degree. (Section 6 of the Law)*
- f) *The recipient must begin meeting the required nursing employment obligation no later than 6 months after the end of any deferment. (Section 6 of the Law)*
- g) *Within 12 months after graduation from a graduate degree in nursing program for nurse educators, any recipient who accepted a scholarship shall begin meeting the required nurse educator employment obligation. (Section 6.5(d) of the Law)*
- h) *In order to defer the continuous employment obligation, a recipient must request the deferment in writing from the Department. (Section 6.5(d) of the Law) The following deferments are allowed:*
 - 1) *A recipient shall receive a deferment if he or she notifies the Department, within 30 days after enlisting, that he or she is spending up to 4 years in military service.*
 - 2) *A recipient shall receive a deferment if he or she notifies the Department, within 30 days after enrolling, that he or she is enrolled in an academic program leading to a graduate degree in nursing.*
- i) *The recipient must begin meeting the required nurse educator employment obligation no later than 6 months after the end of the deferment or deferments. (Section 6.5(d) of the Law)*

(Source: Amended at 35 Ill. Reg. 4609, effective March 2, 2011)