

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 2.2-4002, 23.1-614, 32.1-122.6:01, 32.1-122.6:02, 32.1-122.7, 32.1-122.7:2, 32.1-122.20, and 54.1-3011.2 of the Code of Virginia, relating to Virginia Health Workforce Development Authority; administration of nursing scholarships.

[S 405]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-4002, 23.1-614, 32.1-122.6:01, 32.1-122.6:02, 32.1-122.7, 32.1-122.7:2, 32.1-122.20, and 54.1-3011.2 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-4002. Exemptions from chapter generally.

A. Although required to comply with § 2.2-4103 of the Virginia Register Act (§ 2.2-4100 et seq.), the following agencies shall be exempted from the provisions of this chapter, except to the extent that they are specifically made subject to §§ 2.2-4024, 2.2-4030, and 2.2-4031:

1. The General Assembly.

2. Courts, any agency of the Supreme Court, and any agency that by the Constitution is expressly granted any of the powers of a court of record.

3. The Department of Wildlife Resources in promulgating regulations regarding the management of wildlife and for all case decisions rendered pursuant to any provisions of Chapters 2 (§ 29.1-200 et seq.), 3 (§ 29.1-300 et seq.), 4 (§ 29.1-400 et seq.), 5 (§ 29.1-500 et seq.), and 7 (§ 29.1-700 et seq.) of Title 29.1.

4. The Virginia Housing Development Authority.

5. Municipal corporations, counties, and all local, regional, or multijurisdictional authorities created under this Code, including those with federal authorities.

6. Educational institutions operated by the Commonwealth, provided that, with respect to § 2.2-4031, such educational institutions shall be exempt from the publication requirements only with respect to regulations that pertain to (i) their academic affairs, (ii) the selection, tenure, promotion, and disciplining of faculty and employees, (iii) the selection of students, and (iv) rules of conduct and disciplining of students.

7. The Milk Commission in promulgating regulations regarding (i) producers' licenses and bases, (ii) classification and allocation of milk, computation of sales, and shrinkage, and (iii) class prices for producers' milk, time and method of payment, butterfat testing, and differential.

8. The Virginia Resources Authority.

9. Agencies expressly exempted by any other provision of this Code.

10. The Department of General Services in promulgating standards for the inspection of buildings for asbestos pursuant to § 2.2-1164.

11. The State Council of Higher Education for Virginia, in developing, issuing, and revising guidelines pursuant to § 23.1-207.

12. The Commissioner of Agriculture and Consumer Services in adopting regulations pursuant to subsection B of § 3.2-6002 and in adopting regulations pursuant to § 3.2-6023.

13. The Commissioner of Agriculture and Consumer Services and the Board of Agriculture and Consumer Services in promulgating regulations pursuant to subsections B and D of § 3.2-3601, subsection B of § 3.2-3701, § 3.2-4002, subsections B and D of § 3.2-4801, §§ 3.2-5121 and 3.2-5206, and subsection A of § 3.2-5406.

14. The Board of Optometry when specifying therapeutic pharmaceutical agents, treatment guidelines, and diseases and abnormal conditions of the human eye and its adnexa for TPA-certification of optometrists pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 of Title 54.1.

15. The Commissioner of the Department of Veterans Services in adopting regulations pursuant to § 2.2-2001.3.

16. The State Board of Education, in developing, issuing, and revising guidelines pursuant to § 22.1-203.2.

17. The Virginia Racing Commission, (i) when acting by and through its duly appointed stewards or in matters related to any specific race meeting or (ii) in promulgating technical rules regulating actual live horse racing at race meetings licensed by the Commission.

18. The Virginia Small Business Financing Authority.

19. The Virginia Economic Development Partnership Authority.

20. The Board of Agriculture and Consumer Services in adopting, amending, or repealing regulations pursuant to subsection A (ii) of § 59.1-156.

21. The Insurance Continuing Education Board pursuant to § 38.2-1867.

22. The Board of Health in promulgating the list of diseases that shall be reported to the Department of Health pursuant to § 32.1-35 and in adopting, amending, or repealing regulations pursuant to subsection C of § 35.1-14 that incorporate the Food and Drug Administration's Food Code pertaining to restaurants or food service.

23. The Board of Pharmacy when specifying special subject requirements for continuing education for pharmacists pursuant to § 54.1-3314.1.

24. The Virginia Department of Veterans Services when promulgating rules and regulations pursuant to § 58.1-3219.7 or 58.1-3219.11.

25. The Virginia Department of Criminal Justice Services when developing, issuing, or revising any training standards established by the Criminal Justice Services Board under § 9.1-102, provided such actions are authorized by the Governor in the interest of public safety.

26. *The Virginia Health Workforce Development Authority.*

B. Agency action relating to the following subjects shall be exempted from the provisions of this chapter:

1. Money or damage claims against the Commonwealth or agencies thereof.
 2. The award or denial of state contracts, as well as decisions regarding compliance therewith.
 3. The location, design, specifications, or construction of public buildings or other facilities.
 4. Grants of state or federal funds or property.
 5. The chartering of corporations.
 6. Customary military, militia, naval, or police functions.
 7. The selection, tenure, dismissal, direction, or control of any officer or employee of an agency of the Commonwealth.
 8. The conduct of elections or eligibility to vote.
 9. Inmates of prisons or other such facilities or parolees therefrom.
 10. The custody of persons in, or sought to be placed in, mental health facilities or penal or other state institutions as well as the treatment, supervision, or discharge of such persons.
 11. Traffic signs, markers, or control devices.
 12. Instructions for application or renewal of a license, certificate, or registration required by law.
 13. Content of, or rules for the conduct of, any examination required by law.
 14. The administration of pools authorized by Chapter 47 (§ 2.2-4700 et seq.).
 15. Any rules for the conduct of specific lottery games, so long as such rules are not inconsistent with duly adopted regulations of the Virginia Lottery Board, and provided that such regulations are published and posted.
 16. Orders condemning or closing any shellfish, finfish, or crustacea growing area and the shellfish, finfish, or crustacea located thereon pursuant to Article 2 (§ 28.2-803 et seq.) of Chapter 8 of Title 28.2.
 17. Any operating procedures for review of child deaths developed by the State Child Fatality Review Team pursuant to § 32.1-283.1, any operating procedures for review of adult deaths developed by the Adult Fatality Review Team pursuant to § 32.1-283.5, any operating procedures for review of adult deaths developed by the Maternal Mortality Review Team pursuant to § 32.1-283.8, and any operating procedures for review of the deaths of persons with a developmental disability developed by the Developmental Disabilities Mortality Review Committee pursuant to § 37.2-314.1.
 18. The regulations for the implementation of the Health Practitioners' Monitoring Program and the activities of the Health Practitioners' Monitoring Program Committee pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.
 19. The process of reviewing and ranking grant applications submitted to the Commonwealth Neurotrauma Initiative Advisory Board pursuant to Article 12 (§ 51.5-178 et seq.) of Chapter 14 of Title 51.5.
 20. Loans from the Small Business Environmental Compliance Assistance Fund pursuant to Article 4 (§ 10.1-1197.1 et seq.) of Chapter 11.1 of Title 10.1.
 21. The Virginia Breeders Fund created pursuant to § 59.1-372.
 22. The types of pari-mutuel wagering pools available for live or simulcast horse racing.
 23. The administration of medication or other substances foreign to the natural horse.
 24. Any rules adopted by the Department of Agriculture and Consumer Services for the approval and conduct of game variations for the conduct of raffles, bingo, network bingo, and instant bingo games, provided that such rules are (i) consistent with Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2 and (ii) published and posted.
- C. Minor changes to regulations published in the Virginia Administrative Code under the Virginia Register Act (§ 2.2-4100 et seq.), made by the Virginia Code Commission pursuant to § 30-150, shall be exempt from the provisions of this chapter.

§ 23.1-614. Nursing scholarships.

A. As used in this section:

"Graduate nursing program" means a program at a school of nursing that leads to a master's degree or doctorate in nursing or a field relating to nursing activities.

"Undergraduate nursing program" means a program at a school of nursing that leads to an associate degree, diploma, or baccalaureate degree in nursing.

B. Annual nursing scholarships are established for part-time and full-time Virginia students enrolled in undergraduate and graduate nursing programs or first-year Virginia students at the beginning of their first academic year who present to the advisory committee established pursuant to subsection D a notice of intention to pursue an undergraduate nursing program.

C. Undergraduate nursing scholarships shall not exceed \$2,000 annually. Graduate nursing scholarships shall not exceed \$4,000 annually. No scholarship shall be less than \$150 annually. Scholarship funds shall be paid directly to the recipient.

D. ~~Each nursing~~ *Nursing scholarship awards shall be made by an in accordance with established program criteria. The advisory committee board* appointed by the ~~State Board of Health that consists of eight members, four of whom shall be deans or directors of schools of nursing or their designees, two of whom shall be past recipients of nursing scholarships awarded pursuant to this section, two of whom shall have experience in the administration of student financial aid programs, and at least two of whom shall not have served as members of the advisory committee during the previous two years. Appointments shall be for two-year terms. No member of the advisory committee is eligible to serve more than two consecutive two-year terms immediately succeeding any unexpired term for which such member was appointed Virginia Nursing Workforce Center pursuant to subsection C of § 32.1-122.7:2 shall review the list of scholarship awards made.~~

E. Awards shall be made upon such basis, competitive or otherwise, as determined by the advisory committee, with due regard for scholastic attainments, character, need, and adaptability of the applicant for the service contemplated in such award. No award shall be made if the applicant fails to possess the requisite qualifications. With due consideration of the number of applications and the qualifications of all such applicants, the advisory committee shall, to the extent that it is practicable, award an equal number of scholarships among the various congressional districts within the Commonwealth.

F. Before any such scholarship is awarded, the applicant shall agree in a signed written contract to complete a nursing program and, upon completion, to promptly begin and continuously engage in nursing work in the Commonwealth in a region with a critical shortage of nurses for one month for each \$100 of scholarship awarded. The requirement for continuous engagement in nursing work may be waived by the advisory committee if the scholarship recipient requests leave to pursue an undergraduate or graduate degree in nursing or relating to nursing activities. The contract shall contain such other provisions as the ~~State Board of Health~~ *Virginia Health Workforce Development Authority* determines to be necessary to accomplish the purposes of the scholarship.

G. Each scholarship shall be awarded for a single award year and may be renewed annually for up to four additional award years upon a showing of satisfactory progress toward completion of the relevant nursing program.

§ 32.1-122.6:01. Virginia Health Workforce Development Authority to award certain scholarships and loan repayment funds.

A. ~~The Board of Health~~ *Virginia Health Workforce Development Authority (the Authority)* shall award to eligible part-time and full-time students the nursing scholarships available from the Nursing Scholarship and Loan Repayment Fund established in § 54.1-3011.2 pursuant to the procedures for the administration of the scholarships awarded through § 23.1-614.

Eligible part-time and full-time students shall be bona fide residents of Virginia as determined by § 23.1-502, shall be enrolled in or accepted for enrollment in nursing education programs preparing them for examination for licensure as practical nurses or registered nurses, and shall also meet such other criteria as may be established by the ~~Board of Health~~ *Authority*. Prior to awarding any scholarship, the ~~Board of Health~~ *Authority* shall require the recipient to agree to perform a period of nursing service in ~~this the~~ *the* Commonwealth for each scholarship. The ~~Board~~ *Authority* may establish variable periods of service as conditions for receipt of scholarships according to the amounts of the awards. In the event that fees are collected pursuant to § 54.1-3011.1, the ~~Board~~ *Authority* shall award the scholarships funded through such fees to practical nurses and registered nurses in proportion to the funds generated by the fees for licensure from such nurses.

Eligibility for these scholarships shall be limited to a total of four academic years. The scholarships shall be awarded on a competitive basis, considering the financial needs of the applicant, and all such funds shall be used only for payment of charges for tuition, fees, room, board, or other educational expenses as prescribed by the ~~Board of Health~~ *Authority*.

The ~~Board of Health~~ *Authority* shall submit the names of the scholarship recipients to the Board of Nursing, which shall be responsible for transmission of the funds to the appropriate institution to be credited to the account of the recipient.

B. The ~~Board~~ *Authority* shall ~~establish~~ *administer* a nursing scholarship and loan repayment program for registered nurses, licensed practical nurses, and certified nurse aides who agree to perform a period of service in a Commonwealth long-term care facility pursuant to regulations promulgated by the ~~Board~~ *Authority* in cooperation with the Board of Nursing. The ~~Board~~ *Authority* shall submit the names of the scholarship and

loan repayment recipients to the Board of Nursing, which shall be responsible for transmission of the funds to the appropriate educational or financial institution to be credited to the account of the recipient.

1. The nursing scholarships authorized by this subsection shall be awarded to eligible part-time and full-time students who are bona fide residents of Virginia as determined by § 23.1-502 and who are ~~(a)~~ (i) accepted for enrollment or are enrolled in approved nursing education programs preparing them for examination for licensure as practical nurses or registered nurses or ~~(b)~~ (ii) accepted for enrollment or enrolled in approved nurse aide education programs preparing them for certification as authorized in Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1. Prior to awarding any scholarship, the ~~Board~~ Authority shall require the recipient to agree to perform a period of nursing service in a long-term care facility in the Commonwealth for each scholarship. The ~~Board~~ Authority may establish variable periods of service according to the amount of the award in a long-term care facility as a condition for receipt of a scholarship.

Eligibility for these scholarships shall be limited to a total of four academic years. The scholarships shall be awarded on a competitive basis, considering the financial needs of the applicant, and all such funds shall be used only for payment of charges for tuition, fees, room, board, or other educational expenses as prescribed by the ~~Board~~ Authority.

2. The nursing loan repayment program authorized by this subsection shall be established for registered nurses, licensed practical nurses, and certified nurse aides who: ~~(a)~~ (i) are bona fide residents of Virginia as determined by § 23.1-502, ~~(b)~~ (ii) have graduated from an approved educational program pursuant to Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1, and ~~(c)~~ (iii) meet such other criteria as determined by the ~~Board~~ Authority. Prior to awarding any funds, the ~~Board~~ Authority shall require the recipient to agree to perform a period of nursing service in a long-term care facility in the Commonwealth as a condition for loan repayment according to the amount of the award.

§ 32.1-122.6:02. Conditional grants for certain advanced practice registered nursing students.

A. The ~~Board of Health~~ Virginia Health Workforce Development Authority (the Authority) shall establish administer annual nursing scholarships for students who intend to enter an accredited advanced practice registered nurse program in designated schools. The amounts and numbers of such scholarships shall be determined annually as provided in the appropriation act. ~~The Commissioner shall act as fiscal agent for the Board in administration of the scholarship program through a nursing scholarship committee.~~

B. To administer the scholarship program, the ~~Board~~ Authority shall promulgate regulations which shall include, but are not limited to that include:

1. Qualifications of applicants;

2. Criteria for award of the scholarship to assure that a recipient will fulfill the practice obligations established in this section;

3. Standards to assure that these scholarships increase access to primary health care for individuals who are indigent or who are recipients of public assistance;

4. Assurances that residents of Virginia, as determined by § 23.1-502, minority students and residents of medically underserved areas are given preference in determining scholarship eligibility and awards;

5. Assurances that a scholarship recipient will practice as an advanced practice registered nurse in an underserved area of the Commonwealth within two years following completion of training;

6. Designations that students in advanced practice registered nurse specialties, including nurse midwife, receive priority scholarships;

7. Methods for reimbursement to the Commonwealth by a recipient who fails to complete the educational program or who fails to honor the obligation to engage in practice as an advanced practice registered nurse for a period of years equal to the number of annual scholarships received;

8. Procedures for reimbursing any recipient who has repaid the Commonwealth for part or all of any scholarship and who later fulfills the terms of his contract; and

9. Methods for reporting data related to the recipients of the scholarships.

C. Until such time as a fully accredited nurse midwife education program is established at any health science center in the Commonwealth, the ~~Board~~ Authority may designate that attendance at an accredited program in a nearby state is acceptable for scholarship eligibility.

D. For purposes of this section, the term "underserved area" ~~shall include~~ includes those medically underserved areas designated by the ~~Board~~ Authority pursuant to § 32.1-122.5 and health professional shortage areas designated in accordance with the criteria established in 42 C.F.R. Part 5.

E. Any scholarship amounts repaid by recipients pursuant to subdivision B 7, and any interest thereon, shall be used only for the purposes of this section and shall not revert to the general fund.

F. As used in this section, "Authority" means the Virginia Health Workforce Development Authority.

§ 32.1-122.7. Virginia Health Workforce Development Authority; purpose.

A. There is hereby created as a public body corporate and as a political subdivision of the Commonwealth the Virginia Health Workforce Development Authority (the Authority), with such public and corporate powers as are set forth in § 32.1-122.7:2. The Authority is hereby constituted as a public instrumentality, exercising public and essential governmental functions with the power and purpose to provide for the health, welfare, convenience, knowledge, benefit, and prosperity of the residents of the Commonwealth and such

other persons who might be served by the Authority. The Authority is established to move the Commonwealth forward in achieving its vision of ensuring a quality health workforce for all Virginians.

B. The mission of the Authority is to facilitate the development of a statewide health professions pipeline that identifies, educates, recruits, and retains a diverse, appropriately geographically distributed, and culturally competent quality workforce. The mission of the Authority is accomplished by (i) providing the statewide infrastructure required for health workforce needs assessment and planning that maintains engagement by health professions training programs in decision making and program implementation; (ii) serving as the advisory board and setting priorities for the Virginia Area Health Education Centers Program; (iii) coordinating with and serving as a resource to relevant state, regional, and local entities, including the Department of Health Professions Workforce Data Center, the Joint Legislative Audit and Review Commission, the Joint Commission on Health Care, the Behavioral Health Commission, the Southwest Virginia Health Authority, or any similar regional health authority that may be developed; (iv) informing state and local policy development as it pertains to health care delivery, training, and education; (v) identifying and promoting evidence-based strategies for health workforce pipeline development and interdisciplinary health care service models, particularly those affecting rural and other underserved areas; (vi) supporting communities in their health workforce recruitment and retention efforts and developing partnerships and promoting models of participatory engagement with business and community-based and social organizations to foster integration of health care training and education; (vii) setting priorities for and evaluating graduate medical education programs overseen by the Commonwealth; (viii) advocating for programs that will result in reducing the debt load of newly trained health professionals; (ix) setting priorities for and managing the Virginia Health Care Career and Technical Training and Education Fund; (x) identifying high priority target areas within each region of the Commonwealth and working toward health workforce development initiatives that improve health measurably in those areas; (xi) fostering or creating innovative health workforce development models that provide both health and economic benefits to the regions they serve; (xii) developing strategies to increase diversity in the health workforce by examining demographic data on race and ethnicity in training programs and health professional licensure; (xiii) identifying ways to leverage technology to increase access to health workforce training and health care delivery; and (xiv) developing a centralized health care careers roadmap in partnership with the Department of Health Professions that includes information on both licensed and unlicensed professions and that is disseminated to the Commonwealth's health care workforce stakeholders to raise awareness about available career pathways; and (xv) *setting priorities for managing the Virginia Nursing Workforce Center established pursuant to subsection C of § 32.1-122.7:2.*

§ 32.1-122.7:2. Powers and duties of the Virginia Health Workforce Development Authority; exemptions.

A. The Virginia Health Workforce Development Authority (the Authority) is authorized to serve as the incorporated consortium of allopathic and osteopathic medical schools in Virginia as required by federal statute to qualify for the receipt of Area Health Education Centers programs, legislatively mandated under the Public Health Service Act as amended, Title VII, § 751, and 42 U.S.C. § 294a, and to administer federal, state, and local programs as needed to carry out its public purpose and objectives. The Authority is further authorized to exercise independently the powers conferred by this section in furtherance of its corporate and public purposes to benefit citizens and such other persons who might be served by the Authority.

B. The Authority is authorized to monitor, collect, and track data pertaining to health care delivery, training, and education from Virginia educational institutions and other entities as needed to carry out its public purpose and objectives in areas where such data efforts do not already exist. The Authority is further authorized to request and seek data for program evaluation purposes and may partner with other agencies and institutions to help manage and analyze health workforce data. The Authority shall ~~assist in the coordination of data from various sources, including the Department of Education,~~ *establish and maintain an annual reporting schedule requiring submission of a usable electronic data file in a standard format, which shall be either (i) a comma-separated values file or (ii) an Excel spreadsheet, containing record-level, deidentified health workforce data necessary for program evaluation and workforce forecasting. Such data shall include academic enrollment and graduation information, health professional licensure and renewal data, residency and fellowship program data, and health workforce incentive program data. The State Council of Higher Education for Virginia, the Department of Health Professions, the Department of Health, the Virginia Office of Education Economics, the Workforce Data Trust, and the George Mason University Center for Health Workforce* the Virginia Community College System, and any other state agencies or institutions that maintain data relevant to the health workforce shall be required to submit such information to the Authority on an annual basis. The Authority shall analyze and publish this data to inform statewide health workforce planning, policy development, and program evaluation.

C. The Authority shall establish the Virginia Nursing Workforce Center (the Center) to ensure an adequate, qualified nursing workforce in the Commonwealth. The Authority shall provide oversight of and strategic guidance to the Center to ensure coordination of statewide data collection, planning, program implementation, and policy development in alignment with the Center's mission to increase the supply of

nurses, resolve critical shortages, address educational capacity and workforce needs, and be the primary representative in all state nursing workforce matters at the national level. The Center shall establish an advisory board to provide strategic oversight and guidance to the Center to support the Center's mission, priorities, and operational integrity. Membership of such advisory board shall include representation from (i) the Department, (ii) the Board of Nursing, (iii) nursing academia, and (iv) practicing nurses.

D. The Authority shall have the authority to evaluate the design, implementation, outcomes, and effectiveness of all health workforce incentive programs, rural placement initiatives, and state-sponsored health workforce programs administered or supported by the Commonwealth, including scholarships, loan repayment programs, relocation incentives, rural practice bonuses, and other workforce support programs. The Authority may assess program performance through evidence-based metrics, identify strengths and opportunities for improvement, and issue evaluative reports with findings, comparative analyses, and policy recommendations to inform future program enhancement and strategic decision making.

E. The Authority shall have the authority to assess policies, engage in policy development, and make policy recommendations.

~~D.~~ F. The Authority shall have the authority to make, adopt, promulgate, and enforce such regulations and provide for reasonable variances and exemptions therefrom as may be necessary to carry out the administration of scholarship and loan repayment programs pursuant to this article.

G. The Authority shall have the authority to apply for and accept federal, state, and local public and private grants, loans, appropriations, and donations; hire and compensate staff, including an executive director; rent, lease, buy, own, acquire, and dispose of property, real or personal; participate in joint ventures, including to make contracts and other agreements with public and private entities in order to carry out its public purpose and objectives; and make bylaws for the management and regulation of its affairs.

~~E.~~ H. The Authority shall be exempt from the provisions of the Virginia Personnel Act (§ 2.2-2900 et seq.) and the Virginia Public Procurement Act (§ 2.2-4300 et seq.).

~~F.~~ I. The exercise of powers granted by this article and the undertaking of activities in the furtherance of the purpose of the Authority shall constitute the performance of essential governmental functions. Therefore, the Authority shall be exempt from any tax or assessment upon any project or property acquired or used by the Authority under the provisions of this article or upon the income therefrom, including sales and use taxes on tangible personal property used in the operation of the Authority. This exemption shall not extend to persons conducting business for which local or state taxes would otherwise be required.

§ 32.1-122.20. Recruitment and retention of health care providers.

The Commissioner shall direct the Commonwealth's activities and programs for recruiting and retaining health care providers for underserved populations, underserved areas, and health professional shortage areas (HPSAs) designated throughout the Commonwealth. The duties and responsibilities of the Commissioner shall include, ~~but not be limited to:~~

1. Designating and updating as necessary the designation of underserved areas that meet the criteria established by the Board pursuant to § 32.1-122.5;

2. Designating and updating as necessary those areas of the state which meet the criteria of dental, primary care, and mental health professional shortage areas as provided in 42 C.F.R. Part 5;

3. Administering ~~the~~ any scholarship and loan repayment programs pursuant to Article 6 (§ 32.1-122.5 et seq.) of this chapter ~~that are not administered by the Virginia Health Workforce Development Authority~~ as well as any other programs or activities authorized in the appropriation act for recruiting and retaining providers for the Commonwealth's underserved populations, underserved areas, and HPSAs ~~that are not administered by the Virginia Health Workforce Development Authority~~;

4. Recruiting health care providers, residents, and students in Virginia and other states to care for Virginia's underserved populations and practice in underserved areas and HPSAs throughout the Commonwealth;

5. Publicizing the functions, programs, and activities of the Department available to assist providers in establishing a practice in underserved areas and HPSAs throughout the Commonwealth;

6. Coordinating the Department's health workforce activities with other state agencies as well as public and private entities in Virginia involved in health workforce training, recruitment, and retention; and

7. Identifying and recommending to the Governor and the General Assembly new programs, activities, and strategies for increasing the number of providers practicing in Virginia's underserved areas and HPSAs and serving Virginia's underserved populations.

§ 54.1-3011.2. Nursing Scholarship and Loan Repayment Fund.

A. There is hereby established the Nursing Scholarship and Loan Repayment Fund for the purpose of financing scholarships for (i) part-time and full-time students enrolled in or accepted for enrollment by nursing programs which will prepare such students, upon completion, for examination to be licensed by the Board as practical nurses or registered nurses and (ii) those registered nurses, licensed practical nurses, and certified nurse aides who agree to perform a period of nursing service in a Commonwealth long-term care facility pursuant to regulations promulgated by the ~~Board of Health~~ Virginia Health Workforce Development Authority (the Authority) in cooperation with the Board.

B. The Fund shall be administered by the Board, in cooperation with the Director of the Department, and the scholarships shall be administered and awarded by the ~~Board of Health~~ *Health Authority* pursuant to § 32.1-122.6:01. The Fund shall be maintained and administered separately from any other program or funds of the Board and the Department of Health Professions. No portion of the Fund shall be used for a purpose other than that described in this section and § 32.1-122.6:01. Any money remaining in the Fund at the end of a biennium, including amounts repaid by award recipients, and any interest thereon, shall not revert to the general fund or the funds of the Department of Health Professions, but shall remain in the Fund to be used only for the purposes of this section. In addition to any licensure fees that may be collected pursuant to § 54.1-3011.1, the Fund shall also include:

1. Any funds appropriated by the General Assembly for the purposes of the Fund; and
2. Any gifts, grants, or bequests received from any private person or organization.

Upon receiving the names of the scholarship and loan repayment program recipients from the ~~Board of Health~~ *Health Authority*, the Board of Nursing shall be responsible for transmitting the funds to the appropriate institution to be credited to the account of the recipient.

2. That the regulations of the Board of Health promulgated pursuant to §§ 32.1-122.6:01, 32.1-122.6:02, and 54.1-3011.2 of the Code of Virginia, as amended by this act, shall be administered by the Virginia Health Workforce Development Authority and shall remain in full force and effect until the Virginia Health Workforce Development Authority promulgates regulations pursuant to this act.