

## PRIOR PROVISIONS

A prior section 831 of act July 1, 1944, was classified to section 297-1 of this title prior to repeal by Pub. L. 105-392.

## AMENDMENTS

2010—Pub. L. 111-148, § 5309(a)(1), substituted “quality” for “retention” in section catchline.

Subsec. (a). Pub. L. 111-148, § 5309(a)(2), in par. (1), inserted “or” at end, redesignated par. (3) as (2), and struck out former par. (2) which read as follows: “developing and implementing internship and residency programs to encourage mentoring and the development of specialties; or”.

Subsec. (b)(3). Pub. L. 111-148, § 5309(a)(3), substituted “coordinated care” for “managed care, quality improvement”.

Subsec. (g). Pub. L. 111-148, § 5309(a)(4), inserted “, as defined in section 296(2) of this title,” after “school of nursing”.

Subsec. (h). Pub. L. 111-148, § 5309(a)(5), substituted “2010 through 2014” for “2003 through 2007”.

2002—Pub. L. 107-205 amended section catchline and text generally. Prior to amendment, text read as follows:

“(a) IN GENERAL.—The Secretary may award grants to and enter into contracts with eligible entities for projects to strengthen capacity for basic nurse education and practice.

“(b) PRIORITY AREAS.—In awarding grants or contracts under this section the Secretary shall give priority to entities that will use amounts provided under such a grant or contract to enhance the educational mix and utilization of the basic nursing workforce by strengthening programs that provide basic nurse education, such as through—

“(1) establishing or expanding nursing practice arrangements in noninstitutional settings to demonstrate methods to improve access to primary health care in medically underserved communities;

“(2) providing care for underserved populations and other high-risk groups such as the elderly, individuals with HIV-AIDS, substance abusers, the homeless, and victims of domestic violence;

“(3) providing managed care, quality improvement, and other skills needed to practice in existing and emerging organized health care systems;

“(4) developing cultural competencies among nurses;

“(5) expanding the enrollment in baccalaureate nursing programs;

“(6) promoting career mobility for nursing personnel in a variety of training settings and cross training or specialty training among diverse population groups;

“(7) providing education in informatics, including distance learning methodologies; or

“(8) other priority areas as determined by the Secretary.”

**§ 296p-1. Nurse retention grants****(a) Retention priority areas**

The Secretary may award grants to, and enter into contracts with, eligible entities to enhance the nursing workforce by initiating and maintaining nurse retention programs pursuant to subsection (b) or (c).

**(b) Grants for career ladder program**

The Secretary may award grants to, and enter into contracts with, eligible entities for programs—

(1) to promote career advancement for individuals including licensed practical nurses, licensed vocational nurses, certified nurse assistants, home health aides,<sup>1</sup> diploma degree

or associate degree nurses, to become baccalaureate prepared registered nurses or advanced education nurses in order to meet the needs of the registered nurse workforce;

(2) developing and implementing internships and residency programs in collaboration with an accredited school of nursing, as defined by section 296(2) of this title, to encourage mentoring and the development of specialties; or

(3) to assist individuals in obtaining education and training required to enter the nursing profession and advance within such profession.

**(c) Enhancing patient care delivery systems****(1) Grants**

The Secretary may award grants to eligible entities to improve the retention of nurses and enhance patient care that is directly related to nursing activities by enhancing collaboration and communication among nurses and other health care professionals, and by promoting nurse involvement in the organizational and clinical decision-making processes of a health care facility.

**(2) Priority**

In making awards of grants under this subsection, the Secretary shall give preference to applicants that have not previously received an award under this subsection (or section 296p(c) of this title as such section existed on the day before March 23, 2010).

**(3) Continuation of an award**

The Secretary shall make continuation of any award under this subsection beyond the second year of such award contingent on the recipient of such award having demonstrated to the Secretary measurable and substantive improvement in nurse retention or patient care.

**(d) Other priority areas**

The Secretary may award grants to, or enter into contracts with, eligible entities to address other areas that are of high priority to nurse retention, as determined by the Secretary.

**(e) Report**

The Secretary shall submit to the Congress before the end of each fiscal year a report on the grants awarded and the contracts entered into under this section. Each such report shall identify the overall number of such grants and contracts and provide an explanation of why each such grant or contract will meet the priority need of the nursing workforce.

**(f) Eligible entity**

For purposes of this section, the term “eligible entity” includes an accredited school of nursing, as defined by section 296(2) of this title, a health care facility, or a partnership of such a school and facility.

**(g) Authorization of appropriations**

There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2012.

(July 1, 1944, ch. 373, title VIII, § 831A, as added Pub. L. 111-148, title V, § 5309(b), Mar. 23, 2010, 124 Stat. 630.)

<sup>1</sup> So in original. The word “and” probably should appear.

## PRIOR PROVISIONS

Prior sections 296r, 297, and 297-1 were repealed by Pub. L. 105-392, title I, §123(1), Nov. 13, 1998, 112 Stat. 3562.

Section 296r, act July 1, 1944, ch. 373, title VIII, §827, as added Pub. L. 100-607, title VII, §701(a)(3), Nov. 4, 1988, 102 Stat. 3153; amended Pub. L. 102-408, title II, §205, Oct. 13, 1992, 106 Stat. 2073, authorized grants and contracts for special projects to increase nursing education opportunities for individuals from disadvantaged backgrounds.

Section 297, act July 1, 1944, ch. 373, title VIII, §830, formerly §821, as added Pub. L. 88-581, §2, Sept. 4, 1964, 78 Stat. 913; amended Pub. L. 90-490, title II, §221, Aug. 16, 1968, 82 Stat. 783; Pub. L. 92-52, §5, July 9, 1971, 85 Stat. 145; Pub. L. 92-158, §§5, 13, Nov. 18, 1971, 85 Stat. 475, 480; renumbered §830 and amended Pub. L. 94-63, title IX, §§935, 941(g)(2), July 29, 1975, 89 Stat. 362, 365; Pub. L. 94-484, title IX, §901, Oct. 12, 1976, 90 Stat. 2323; Pub. L. 95-83, title III, §307(o)(5)(B), Aug. 1, 1977, 91 Stat. 394; Pub. L. 96-76, title I, §108, Sept. 29, 1979, 93 Stat. 579; Pub. L. 97-35, title XXVII, §2756, Aug. 13, 1981, 95 Stat. 931; Pub. L. 99-92, §6, Aug. 16, 1985, 99 Stat. 395; Pub. L. 100-607, title VII, §711, Nov. 4, 1988, 102 Stat. 3159; Pub. L. 102-408, title II, §206, Oct. 13, 1992, 106 Stat. 2073; Pub. L. 103-43, title XX, §2014(f), June 10, 1993, 107 Stat. 217, authorized grants for traineeships for advanced education of professional nurses.

Section 297-1, act July 1, 1944, ch. 373, title VIII, §831, as added Pub. L. 96-76, title I, §111, Sept. 29, 1979, 93 Stat. 580; amended Pub. L. 97-414, §8(7), Jan. 4, 1983, 96 Stat. 2061; Pub. L. 99-92, §7, Aug. 16, 1985, 99 Stat. 396; Pub. L. 100-607, title VII, §712, Nov. 4, 1988, 102 Stat. 3160; Pub. L. 102-408, title II, §207, Oct. 13, 1992, 106 Stat. 2074, authorized grants for training of nurse anesthetists.

## PART E—STUDENT LOANS

## CODIFICATION

Pub. L. 105-392, title I, §123(2), Nov. 13, 1998, 112 Stat. 3562, redesignated subpart II of part B as part E.

Pub. L. 94-63, title IX, §941(g)(3), July 29, 1975, 89 Stat. 365, inserted subpart II heading.

**§ 297a. Student loan fund****(a) Agreements to establish and operate fund authorized**

The Secretary is authorized to enter into an agreement for the establishment and operation of a student loan fund in accordance with this part with any public or nonprofit private school of nursing which is located in a State.

**(b) Provisions of agreements**

Each agreement entered into under this section shall—

- (1) provide for establishment of a student loan fund by the school;
- (2) provide for deposit in the fund, except as provided in section 298d of this title, of (A) the Federal capital contributions paid from allotments under section 297d of this title to the school by the Secretary, (B) an additional amount from other sources equal to not less than one-ninth of such Federal capital contributions, (C) collections of principal and interest on loans made from the fund, (D) collections pursuant to section 297b(f) of this title, and (E) any other earnings of the fund;
- (3) provide that the fund, except as provided in section 298d of this title, shall be used only for loans to students of the school in accordance with the agreement and for costs of collection of such loans and interest thereon;

(4) provide that loans may be made from such fund only to students pursuing a full-time or half-time course of study at the school leading to a baccalaureate or associate degree in nursing or an equivalent degree or a diploma in nursing, or to a graduate degree in nursing; and

(5) contain such other provisions as are necessary to protect the financial interests of the United States.

**(c) Regulatory standards applicable to collection of loans**

(1) Any standard established by the Secretary by regulation for the collection by schools of nursing of loans made pursuant to loan agreements under this part shall provide that the failure of any such school to collect such loans shall be measured in accordance with this subsection. With respect to the student loan fund established pursuant to such agreements, this subsection may not be construed to require such schools to reimburse such loan fund for loans that became uncollectable prior to 1983.

(2) The measurement of a school's failure to collect loans made under this part shall be the ratio (stated as a percentage) that the defaulted principal amount outstanding of such school bears to the matured loans of such school.

(3) For purposes of this subsection—

(A) the term “default” means the failure of a borrower of a loan made under this part to—

- (i) make an installment payment when due; or
- (ii) comply with any other term of the promissory note for such loan,

except that a loan made under this part shall not be considered to be in default if the loan is discharged in bankruptcy or if the school reasonably concludes from written contacts with the borrower that the borrower intends to repay the loan;

(B) the term “defaulted principal amount outstanding” means the total amount borrowed from the loan fund of a school that has reached the repayment stage (minus any principal amount repaid or cancelled) on loans—

- (i) repayable monthly and in default for at least 120 days; and
- (ii) repayable less frequently than monthly and in default for at least 180 days;

(C) the term “grace period” means the period of nine months beginning on the date on which the borrower ceases to pursue a full-time or half-time course of study at a school of nursing; and

(D) the term “matured loans” means the total principal amount of all loans made by a school of nursing under this part minus the total principal amount of loans made by such school to students who are—

- (i) enrolled in a full-time or half-time course of study at such school; or
- (ii) in their grace period.

(July 1, 1944, ch. 373, title VIII, §835, formerly §822, as added Pub. L. 88-581, §2, Sept. 4, 1964, 78 Stat. 913; amended Pub. L. 90-490, title II, §222(a), (c)(2), Aug. 16, 1968, 82 Stat. 783, 784; Pub. L. 92-158, §6(d)(3), (e), Nov. 18, 1971, 85 Stat. 478; Pub. L. 93-385, §3(b), Aug. 23, 1974, 88 Stat. 741;