

## **Memorandum to Interested Parties**

**From:** Brian Newman and Lyndsey Hall  
**Date:** May 1, 2010  
**Subject:** State Legislative and Regulatory Activity

Please find CCA's report of state legislative and regulatory activity attached.

The California Bureau of Private Postsecondary Education released a proposed rule that builds on the emergency regulations adopted on February 1, 2010. The Bureau will hold a rulemaking hearing on June 7th in Sacramento. Written comments may also be submitted by this date.

In Florida, where the 2010 legislative session has adjourned sine die, HB 1337 was sent to Governor Charlie Christ after the Senate unanimously concurred with House amendments. This bill requires an approved nursing program to achieve a NCLEX passage rate that is not less than 10 percent below the national average during a calendar year. Also, HB 7129, which includes Florida Association of Postsecondary Schools and Colleges (FAPSC) supported language to expand the Educational Dollars for Duty Program to institutions accredited by any agency recognized by the U.S. Department of Education, passed the Senate on Friday afternoon. HB 7129 is currently awaiting transmittal to the Governor.

The Colorado House Appropriations Committee unanimously passed SB 108, which allows regionally accredited nonpublic postsecondary institutions to participate in core course guidelines as outlined by the Department of Higher Education to ease the transfer of credits from one institution to another. The bill will next be considered by the full House of Representatives.

In Illinois, the House passed the Community College Transfer Grant Act (SB 3699). This proposed measure will provide financial aid to students with associate's degrees from a public community college to cover the costs of attending a public or private postsecondary institution that offers baccalaureate degrees in Illinois. This bill will now be sent to Governor Pat Quinn (D). Once the Governor formally receives this measure, he will have 60 days to act upon the bill or it will automatically become law.

As always, CCA will continue to monitor developments across the country.

## I. Legislative Update

### ARIZONA H.B. 2668 - Career Colleges - Governance & State Oversight

**Sponsor:** Representative Matt Heinz (D)

**Summary:** Current version (March 31) declares that the Arizona board of regents, community college district governing boards and private postsecondary institutions shall adopt a plan to increase student voter registration and voting in election that includes:

1. Regularly provide students with information about on-campus voter registration and voting opportunities:
  - (a) During new student orientation.
  - (b) During the issuance of student identification cards.
  - (c) In admissions packets.
2. Provide voter registration materials at central campus locations and high traffic areas.
3. Instruct institutional administrators, faculty, staff and student government organizations to inform students of:
  - (a) Voter registration deadlines.
  - (b) Deadlines for delivering ballots by mail.
4. Provide links on institutional and administrative websites that direct students to online voter registration websites.
5. Provide directions on institutional and administrative websites that detail the online voter registration process.
6. reasonable accommodations to county election officials.
7. Encouragement to student government organizations to coordinate activities aimed at increasing voter registration and election turnout.
8. Instructions to faculty members to provide students with up to three hours of excused time on election days only for the purpose of voting in an election.
9. Policies that prohibit the use of university resources and employees to influence elections.
10. An emphasis on efficiency and conservation of resources, including reduced use of paper handouts and increased use of electronic communication.

Introduced version:

<http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/bills/hb2668p.htm>

February 15 version:

<http://www.azleg.gov/FormatDocument.asp?inDoc=%2Flegtext%2F49leg%2F2r%2Fadopted%2Fh%2E2668%2Ded%2Edoc%2Ehtm>

February 24 amendments:

<http://www.azleg.gov/FormatDocument.asp?inDoc=%2Flegtext%2F49leg%2F2r%2Fadopted%2Fh%2E2668%2Df1%2Dheinz%2Edoc%2Ehtm>

March 31 amendments:

<http://www.azleg.gov/FormatDocument.asp?inDoc=%2Flegtext%2F49leg%2F2r%2Fadopted%2Fs%2E2668edu%2Edoc%2Ehtm>

**Status:** Introduced February 3, 2010. Referred to House Education Committee February 8. Hearing held February 15. Reported as amended February 15. Rereferred to House Rules Committee February 15. Reported out of House Rules Committee as "Constitutional and in Proper Form" February 22. Amended February 24. Passed House February 24. Referred to Senate Education and Accountability Reform Committee March 2. Hearing held March 17. Hearing held March 31. Reported as amended March 31. Rereferred to Senate Rules Committee March 31. Reported out of Senate Rules Committee as "Constitutional and in Proper Form" April 14. Passed Senate April 28. House concurred with Senate

amendments April 29. Sent to Governor Jan Brewer (R) April 29.

**Outlook:** Governor Jan Brewer (R) will have 10 days to act upon this measure or it will automatically be signed into law. A source in the Governor's office stated that the Governor has not registered a position on this bill. This measure passed the Senate by a vote of 28-2. The Arizona Student Association and the Arizona Board of Regents are in support of this bill. This measure passed the House 42-15.

**Effective Date:** 90 days after the Legislature adjourns

### **CALIFORNIA A.B. 1889 - Career Colleges - Governance & State Oversight**

**Sponsor:** Assemblymember Anthony Portantino (D)

**Summary:** Current version (March 17) requires private postsecondary institutions to refund 100% of the amount paid for institutional charges, if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.

Prohibits institutions from offering a doctoral degree, unless the institution is accredited.

Prohibits an ability-to-benefit student, defined as a student who does not have a certificate of graduation from a school providing secondary education, or a recognized equivalent of that certificate, from enrolling in an institution unless the student achieves a specified score on an independently administered examination from a specified list of examinations prescribed by the United States Department of Education that demonstrates that the student may benefit from the education and training being offered.

Introduced version: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_1851-1900/ab\\_1889\\_bill\\_20100216\\_introduced.html](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_1851-1900/ab_1889_bill_20100216_introduced.html)

March 17 version: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_1851-1900/ab\\_1889\\_bill\\_20100317\\_amended\\_asm\\_v98.html](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_1851-1900/ab_1889_bill_20100317_amended_asm_v98.html)

**Status:** Introduced February 16, 2010. Referred to Assembly Higher Education Committee February 25. Amended March 17. Hearing held April 6. Reported as committed April 6. Rereferred to Assembly Appropriations Committee April 6. Hearing scheduled but not held April 21. Hearing held April 28. Reported to Suspense File April 28.

**Outlook:** This measure has been placed in the Appropriations Suspense File as implementation of this policy would create a significant fiscal impact on the State. Measures placed on the Suspense File will be heard in the Appropriations Committee at a later date and no public testimony will be allowed at the hearing. This measure passed the Assembly Higher Education Committee by a vote of 6-3. The Faculty Association of California Community Colleges is in support of this bill. The California Association of Private Postsecondary Schools and Kaplan Inc. are in opposition to this measure. The March 17 amendments addressed testing of students and added a permanent appropriation to the Bureau for Private Postsecondary Education. Assemblymember Portantino is the sponsor of A.B. 48 which was signed into law in 2009. A.B. 48 reestablished the Bureau for Private Post Secondary Education in order to provide oversight of private post secondary educational institutions in California.

### **CALIFORNIA A.B. 2393 - Career Colleges – Governance & State Oversight**

**Sponsor:** Assemblymember Tom Ammiano (D)

**Summary:** Current version (April 20) separately defines "graduates employed in the field" for purposes of the reporting requirements and the fair business practices provisions of the California Private

Postsecondary Education Act.

Introduced version: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_2351-2400/ab\\_2393\\_bill\\_2010-0219\\_introduced.html](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2351-2400/ab_2393_bill_2010-0219_introduced.html)

April 5 version: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_2351-2400/ab\\_2393\\_bill\\_20100405\\_-\\_amended\\_asm\\_v98.html](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2351-2400/ab_2393_bill_20100405_-_amended_asm_v98.html)

April 20 version: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_2351-2400/ab\\_2393\\_bill\\_20100422\\_-\\_amended\\_asm\\_v97.html](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2351-2400/ab_2393_bill_20100422_-_amended_asm_v97.html)

**Status:** Introduced February 19, 2010. Referred to Assembly Higher Education Committee March 11. Amended April 5. Hearing scheduled but cancelled April 6. Hearing held April 20. Reported as amended April 20. Rereferred to Assembly Business, Professions and Consumer Protection Committee April 20. Hearing scheduled May 4.

**Outlook:** A source in the sponsor's office stated that this measure is expected to be voted on at the May 4 hearing. This measure will be presented to the committee by its sponsor, and both proponents and opponents are generally heard in a single hearing. This measure passed the Assembly Higher Education Committee by a vote of 6-3. The Accredited Out of State Colleges and Universities in California and the California Association of Private Postsecondary Schools are in opposition to this bill. The California Nurses Association, the Consumer Federation of California and the Faculty Association of California Community Colleges are in support of this bill. The April 20 amendments removed the majority of the provisions from the bill. The April 5 amendments removed the provision that required institutions that are otherwise exempt from the act to comply with the existing fair business practices provisions. The sponsor is a member of the majority party. This measure has not garnered cosponsors in the Assembly.

### **CALIFORNIA A.B. 2551 - Career Colleges – Higher Education Incentives - Regional or Occupational**

**Sponsor:** Assemblymember Ed Hernandez (D)

**Summary:** Current version (April 26) establishes the California Pharmacy Technician Scholarship and Loan Repayment Program, to be administered by the Health Professions Education Foundation, to pay for educational expenses of pharmacy technician students and to repay qualifying educational loans of pharmacy technicians who agree to serve in areas of the state where unmet priority needs exist.

Introduced version: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_2551-2600/ab\\_2551\\_bill\\_2010-0219\\_introduced.html](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2551-2600/ab_2551_bill_2010-0219_introduced.html)

April 26 version: [http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab\\_2551-2600/ab\\_2551\\_bill\\_20100426\\_-\\_amended\\_asm\\_v98.html](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2551-2600/ab_2551_bill_20100426_-_amended_asm_v98.html)

**Status:** Introduced February 19, 2010. Rereferred to Assembly Business, Professions and Consumer Protection Committee April 8. Amended April 26. Hearing scheduled May 4.

**Outlook:** A source in the sponsor's office stated that this measure is expected to be voted on at the May 4 hearing. This measure will be presented to the committee by its sponsor, and both proponents and opponents are generally heard in a single hearing. The April 26 amendments removed the placeholder language from the bill. This measure has not garnered cosponsors. The sponsor is a member of the majority party.

### **CALIFORNIA S.B. 957 - Career Colleges - Governance & State Oversight , Career Colleges - State Financial Aid**

**Sponsor:** Assemblymember Curren Price (D)

**Summary:** Current version (March 24) requires the Student Aid Commission to develop and regularly update the areas of occupational or technical training for which students may utilize Cal Grant C awards. The commission shall give priority in granting Cal Grant C awards to students pursuing occupational or technical training in areas that meet at least two of the following criteria:

- (A) High employment need.
- (B) High employment salary or wage projections.
- (C) High employment growth.

Introduced version: [http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb\\_0951-1000/sb\\_957\\_bill\\_20100205\\_introduced.html](http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0951-1000/sb_957_bill_20100205_introduced.html)

March 24 version: [http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb\\_0951-1000/sb\\_957\\_bill\\_20100406\\_amended\\_sen\\_v98.html](http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_0951-1000/sb_957_bill_20100406_amended_sen_v98.html)

The April 26 amendments are not available.

**Status:** Introduced February 5, 2010. Referred to Senate Education Committee February 18. Hearing held March 24. Reported as amended March 24. Rereferred to Senate Appropriations Committee March 24. Hearing held April 26. Reported as amended April 26.

**Outlook:** This measure passed the Senate Appropriations Committee by a vote of 8-1. This measure passed the Senate Education Committee unanimously. The March 24 amendments addressed when a report should be sent to the Governor. The sponsor is a member of the majority party. This measure has garnered cosponsors in the Senate.

## **CALIFORNIA S.B. 1045 - Career Colleges – Governance & State Oversight**

**Sponsor:** Senator Elaine Alquist (D)

**Summary:** Current version (April 5) requires publishers of textbooks offered for sale at a public or a private postsecondary institution of education to make the textbooks available, in whole or in part, to the extent practicable, in an electronic format by January 1, 2020, and requires electronic versions of textbooks to include the same content as the printed versions.

Introduced version: [http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb\\_1001-1050/sb\\_1045\\_bill\\_20100216\\_introduced.html](http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_1001-1050/sb_1045_bill_20100216_introduced.html)

April 5 version: [http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb\\_1001-1050/sb\\_1045\\_bill\\_20100405\\_amended\\_sen\\_v98.html](http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_1001-1050/sb_1045_bill_20100405_amended_sen_v98.html)

**Status:** Introduced February 16, 2010. Referred to Senate Rules Committee February 25. Amended April 5. Rereferred to Senate Education Committee April 5. Hearing held April 21. Reported as committed April 21.

**Outlook:** This measure passed the Senate Education Committee unanimously. The California State Student Association is in support of this bill. The April 5 amendments removed the placeholder language and made this measure relevant to your issue scope. The sponsor is a member of the majority party.

## **COLORADO H.B. 1383 - Career Colleges - State Financial Aid**

**Sponsor:** Representative John Pommer (D)

**Summary:** Current version (April 8) expands the use of the collegeinvest scholarship trust fund to include funding need-based financial aid.

Introduced version:

[http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/CBDB537A6051785E872576EE007B2253?Open&file=1383\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/CBDB537A6051785E872576EE007B2253?Open&file=1383_01.pdf)

April 8 version:

[http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/CBDB537A6051785E872576EE007B2253?Open&file=1383\\_rer.pdf](http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/CBDB537A6051785E872576EE007B2253?Open&file=1383_rer.pdf)

**Status:** Introduced and referred to House Appropriations Committee March 26, 2010. Hearing held March 30. Reported as committed March 30. Passed House April 1. Referred to Senate Appropriations Committee April 5. Hearing held April 6. Reported as committed April 6. Amended April 8. Passed Senate April 9. House refused to concur with Senate amendments April 16. Senate concurred with Conference Committee report April 28.

**Outlook:** The house must now vote on the Conference Committee report. The Conference Committee has requested that the House adopt the Senate version of the bill. The House refused to concur with the Senate amendments and this measure was sent to a conference committee. This measure passed the Senate by a vote of 24-11. This measure is part of the budget package. This measure passed the House by a vote of 58-7.

**Effective Date:** Upon Governor's signature.

### **COLORADO H.B.1428- Career Colleges - State Financial Aid**

**Sponsor:** Representative Karen Middleton (D)

**Summary:** Repeals, as of July 1, 2010, provisions concerning the authority of collegeinvest and any other division of the Department of Higher Education to issue, purchase, or guarantee student loans.

Transfers administration of the Colorado collegeinvest scholarship program from collegeinvest to the Department of Higher Education.

[http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/153CD9880D3FB38E872576C00063AD04?Open&file=1428\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/153CD9880D3FB38E872576C00063AD04?Open&file=1428_01.pdf)

**Status:** Introduced and referred to House Education Committee April 28, 2010. Hearing scheduled May 3.

**Outlook:** A source in the sponsor's office stated that this measure is expected to be voted on at the May 3 hearing. This measure will be presented to the committee by its sponsor, and both proponents and opponents are generally heard in a single hearing. The sponsor is a member of the majority party and sits on the committee of referral. This measure has garnered cosponsors. Cosponsorship is seen as vital to moving legislation through the Colorado Legislature.

### **COLORADO S.B. 64 - Career Colleges – State Financial Aid**

**Sponsor:** Senator Bob Bacon (D)

**Summary:** Current version (April 26) allows an institution of higher education to apply for stipends from the college opportunity fund on behalf of an admitted student using the information in the student's

admission application if the student agrees.

Introduced version: [http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/6BCEBA68594-6CE00872576A8007A5A2F?Open&file=064\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/6BCEBA68594-6CE00872576A8007A5A2F?Open&file=064_01.pdf)

April 23 amendments: [http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont3/6BCEBA68594-6CE00872576A8007A5A2F?Open&file=SB064\\_J\\_003.pdf](http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont3/6BCEBA68594-6CE00872576A8007A5A2F?Open&file=SB064_J_003.pdf)

April 26 amendments: [http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/6BCEBA68594-6CE00872576A8007A5A2F?Open&file=064\\_eng.pdf](http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/6BCEBA68594-6CE00872576A8007A5A2F?Open&file=064_eng.pdf)

**Status:** Introduced and referred to Senate Education Committee January 13, 2010. Hearing held February 10. Hearing held February 17. Reported as committed February 17. Rereferred to Senate Appropriations Committee February 17. Hearing held April 16. Reported as amended April 23. Amended April 26. Passed Senate April 28. Referred to Senate Education Committee April 28.

**Outlook:** This measure passed the Senate by a vote of 32-1. The April 26 amendments changed the legislative declaration of the bill. This measure passed the Senate Appropriations Committee by a voice vote. The April 23 amendments added an appropriation to this bill. A source in the committee stated that this measure passed the Senate Education Committee unanimously and with no amendments. This measure was not voted on at the February 10 hearing. The sponsor is a member of the majority party. This measure has not garnered cosponsors. Cosponsorship is seen as vital to moving legislation through the Colorado Legislature.

**Effective Date:** Upon Governor's signature

**COLORADO S.B. 108 - Career Colleges - Governance & State Oversight (College Curriculum) , Career Colleges - State Financial Aid , Career Colleges - Transfer of Academic Credit**

**Sponsor:** Representative Steve King (R)

**Summary:** Current version (March 5) allows a nonpublic institution of higher education to choose to participate in the core course guidelines. Allows a nonpublic institution to request the Department of Higher Education to review the nonpublic institution's core courses and include them in the matrix of core courses for which credit may transfer from one institution of higher education to another. A nonpublic institution that includes its courses in the matrix will also be included in the statewide transfer agreements for core course credits.

Defines a "nonpublic institution of higher education" as an educational institution operating in this state that:

- 1) Does not receive state general fund moneys in support of its operating costs;
- 2) Admits as regular students only persons having a high school diploma or the recognized equivalent of a high school diploma;
- 3) Is accredited by a regional accrediting agency or association;
- 4) Provides an educational program for which it awards a bachelor's degree or a graduate degree;
- 5) Is authorized by the Department of Higher Education to do business in Colorado;
- 6) Maintains a physical campus or instructional facility in Colorado; and
- 7) Has been determined by the United States Department of Education to be eligible to administer federal financial aid programs.

Introduced version:

[http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/DE981CC68F5486FA872576AA00699C-EF?Open&file=108\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/DE981CC68F5486FA872576AA00699C-EF?Open&file=108_01.pdf)

February 17 amendments:

[http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont3/DE981CC68F5486FA872576AA00699CEF?Open&file=SB108\\_C\\_001.pdf](http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont3/DE981CC68F5486FA872576AA00699CEF?Open&file=SB108_C_001.pdf)

March 5 amendments:

[http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont3/DE981CC68F5486FA872576AA00699CEF?Open&file=SB108\\_J\\_002.pdf](http://www.leg.state.co.us/clics/clics2010a/csl.nsf/fsbillcont3/DE981CC68F5486FA872576AA00699CEF?Open&file=SB108_J_002.pdf)

**Status:** Introduced and referred to Senate Education Committee January 20, 2010. Hearing held February 17. Reported as amended February 17. Rereferred to Senate Appropriations Committee February 17. Hearing held March 5. Reported as amended March 5. Passed Senate March 18. Referred to House Education Committee March 19. Hearing held March 25. Reported as committed March 25. Rereferred to House Appropriations Committee March 25. Hearing held April 16. Hearing held April 23. Reported as committed April 23.

**Outlook:** This measure passed the House Appropriations Committee unanimously and with no amendments. A source in the committee stated that this measure passed the House Education Committee unanimously. This measure passed the Senate unanimously. This measure passed the Senate Appropriations Committee unanimously. The March 5 amendments added an appropriation to this bill. This measure passed the Senate Education unanimously. The February 17 amendments added a definition of "nonpublic institution of Higher Education". The sponsor is a member of the minority party. This measure has garnered cosponsors. Cosponsorship is seen as vital to moving legislation through the Colorado Legislature.

**Effective Date:** Upon Governor's signature

### **COLORADO S.B. 202 - Tax (Career College Incentives)**

**Sponsor:** Senator Bruce Whitehead (D)

**Summary:** Specifies that any adult may open an account for the benefit of himself or herself in furtherance of the adult's own postsecondary educational and job retraining goals. Provides any employer matching contribution to an account for an adult learner is subtracted from federal taxable income.

[http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/2B56FAFB1BCB42E8872576EE00665024?Open&file=202\\_01.pdf](http://www.leg.state.co.us/CLICS/CLICS2010A/csl.nsf/fsbillcont3/2B56FAFB1BCB42E8872576EE00665024?Open&file=202_01.pdf)

**Status:** Introduced and referred to the Senate Education Committee April 26, 2010. Hearing scheduled May 5.

**Outlook:** Public testimony will be accepted at the hearing, but a vote on the measure is at the discretion of the chair.

The sponsor is a member of the majority party but does not serve on the committee of referral. The sponsor has not garnered majority support for this measure, which is important to moving an issue through the legislative process.

### **FLORIDA H.B. 1337 - Nursing Credentialing Issues**

**Sponsor:** Representative Denise Grimsley (R)

**Summary:** Current version (April 20) revises requirements for graduation from certain nursing education programs. Provides that any person who wishes to be a licensed nurse may graduate from a prelicensure nursing education program that the Board of Nursing determines is equivalent to an approved program; graduated on or after July 1, 2009 from an accredited program; or graduated before July 1, 2009, from a

prelicensure nursing education program who graduates at the time were eligible for examination.

Provides that an educational institute that wishes to conduct a program in Florida for the prelicensure education of professional or practical nurses must submit to the Department of Health a program application and a review fee of \$1,000 for each prelicensure nursing education program to be offered at the institution's main campus, branch campus, or other instructional site.

Requires a program's policies established to require a clinical preceptor, if supervising students in a professional nursing education program, to be a registered nurse or, if supervising students in a practical nursing education program, to be a registered nurse or licensed practical nurse.

Requires an approved program to achieve a graduate passing rate that is not lower than 10 percentage points less than the average passing rate for graduates of comparable degree programs who are United States educated first-time test takers on the National Council of State Boards of Nursing Licensing Examination during a calendar year.

Provides that an educational institution conducting an approved or accredited program, at least 30 days before voluntarily closing the program, shall notify the Board in writing of the institution's reason for closing the program, the intended closure date, the institution's plan to provide for or assist in the completion of training by the program's students, and the arrangement for storage of the program's permanent records. Provides that an educational institution conducting a nursing education program that is terminated or closed may not accept or enroll new students and must submit to the Board within 30 days after the program is terminated or closed a written description of how the institution will assist in the completion of training by the program's students and the institution's arrangements for storage of the program's permanent records.

Defines accredited program as a program for the prelicensure education of professional or practical nurses that is conducted in the United States at an educational institution, whether in this state, another state, or in the District of Columbia, and that is accredited by a specialized nursing accrediting agency that is nationally recognized by the United States Secretary of Education to accredit nursing education programs.

Current version: <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName= h13-37e1.docx&DocumentType=Bill&BillNumber=1337&Session=2010>

March 26 version: <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName= h13-37c2.docx&DocumentType=Bill&BillNumber=1337&Session=2010>

March 10 version: <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName= h13-37c1.docx&DocumentType=Bill&BillNumber=1337&Session=2010>

Introduced version: <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName= h13-37 .docx&DocumentType=Bill&BillNumber=1337&Session=2010>

**Status:** Prefiled February 25, 2010. Referred to State Universities and Private Colleges Policy Committee March 3. Hearing held, passed committee with substitute March 10. Referred to Health Care Regulation Policy Committee March 12. Hearing held, passed committee, referred to Health Care Appropriations Committee March 16. Hearing held, passed committee with substitute March 26. Referred to Education Policy Council March 31. Hearing held, passed committee April 7. Amended by House April 20. Passed House, received in Senate and referred to Health Regulation Committee April 21. Withdrawn from committee, substituted for S.B. 2530 April 23. Passed Senate April 26.

**Outlook:** The Senate substituted the bill for S.B. 2530 and passed this bill by a unanimous vote. The bill is now awaiting transmittal to Governor Charlie Crist (R). If the Governor receives the bill before the Legislature adjourns, the Governor has seven days to sign, veto, or allow the bill to become law without a signature. If the Legislature adjourns before the bill is presented to the Governor, the Governor has 15

days to take action on the bill. The Florida Legislature is scheduled to adjourn April 30.

The House amended and passed the bill by a unanimous vote. The amendment addressed the Florida Center for Nursing and the Office of Program and Policy Analysis and Government Accountability and their duties and did not change the provisions of the bill as they relate to your issues.

### **FLORIDA H.B. 7129 - Career Colleges – (College Accreditation)**

**Sponsor:** FL House Military and Local Affairs Policy Council

**Summary:** Current version (April 21) removes the Commission on Colleges of the Southern Association of Colleges and Schools from the accrediting body for the purpose of the Educational Dollars for Duty Program.

Introduced version: [http://www.flsenate.gov/cgi-bin/view\\_page.pl?Tab=session&Submenu=1&FT=D&File=h-b712900.html&Directory=session/2010/House/bills/billtext/html/](http://www.flsenate.gov/cgi-bin/view_page.pl?Tab=session&Submenu=1&FT=D&File=h-b712900.html&Directory=session/2010/House/bills/billtext/html/)

March 25 version: [http://www.flsenate.gov/cgi-bin/view\\_page.pl?Tab=session&Submenu=1&FT=D&File=h-b712901c1.html&Directory=session/2010/House/bills/billtext/html/](http://www.flsenate.gov/cgi-bin/view_page.pl?Tab=session&Submenu=1&FT=D&File=h-b712901c1.html&Directory=session/2010/House/bills/billtext/html/)

April 21 version: [http://www.flsenate.gov/cgi-bin/view\\_page.pl?Tab=session&Submenu=1&FT=D&File=h-b712902e1.html&Directory=session/2010/House/bills/billtext/html/](http://www.flsenate.gov/cgi-bin/view_page.pl?Tab=session&Submenu=1&FT=D&File=h-b712902e1.html&Directory=session/2010/House/bills/billtext/html/)

**Status:** Introduced and referred to House Economic Development and Community Affairs Policy Council March 16, 2010. Hearing held March 25. Reported as amended March 25. Amended April 21. Passed House April 22. Passed Senate April 30.

**Outlook:** This measure passed both the House and Senate unanimously. The April 21 amendments addressed military installations. This measure passed the House Economic Development and Community Affairs Policy Council unanimously. The March 25 amendments addressed military bases. The Chair of the House Military and Local Affairs Policy Council is Representative Dorothy Hukill (R). This measure lacks majority sponsored companion legislation. Majority sponsored companion legislation is seen as key to moving bills through the Florida Legislature.

**Effective Date:** July 1, 2010

### **ILLINOIS S.B. 3699 - Career Colleges - State Financial Aid**

**Sponsor:** Senator Michael Bond (D)

**Summary:** Current version (March 17) creates the Community College Transfer Grant Program Act to provide financial assistance to eligible students who have received an associate's degree at a public community college and who have financial need for the costs of attending a public or private institution of higher education in this State that offers baccalaureate degrees.

March 17 version:  
<http://www.ilga.gov/legislation/fulltext.asp?DocName=09600SB3699sam001&GA=96&LegID=51896&SessionId=76&SpecSess=0&DocTypeld=SB&DocNum=3699&GAID=10&Session>

**Status:** Introduced and referred to Senate Assignments Committee February 11, 2010. Referred to Senate Higher Education Committee February 24. Hearing held March 3. Reported as committed March 3. Amended March 17. Passed Senate March 17. Referred to House Rules Committee March 23. Rereferred to House Higher Education Committee April 8. Hearing held April 14. Hearing held April 21. Reported as committed April 21. Passed House April 28. Awaiting transmittal to Governor Pat Quinn (D)

April 28.

**Outlook:** This bill will now be sent to Governor Pat Quinn (D). Once the Governor formally receives this measure, he will have 60 days to act upon the bill or it will automatically become law. A source in the Governor's office stated that the Governor has not registered a position on this measure. This measure passed the House by a vote of 68-44. This measure passed the Senate by a vote of 37-14.

**Effective Date:** July 1, 2010

### **MASSACHUSETTS S.B. 2340 - Allied Health Credentialing Issues**

**Sponsor:** MA Joint Committee on Public Health

**Summary:** Prohibits a health care facility from employing or otherwise retaining the services of any person to perform surgical technology tasks or functions unless the person: 1) has successfully completed an educational program for surgical technologists and holds and maintains a certified surgical technologist credential; 2) has graduated from an accredited school of surgical technology; 3) was employed to practice surgical technology in a health care facility on January 1, 2010; 4) has completed an appropriate training program for surgical technology in the army, navy, air force, marine corps, or coast guard of the United States or in the United States Public Health Service; or 5) is in the service of the federal government, but only to the extent the person is performing duties related to that service.

<http://www.mass.gov/legis/bills/senate/186/st02pdf/st02340.pdf>

**Status:** Introduced in Senate and referred to Joint Committee on Health Care Financing April 1, 2010.

**Outlook:** An extension order has been filed on this measure, extending the March 17 committee passage deadline to June 8.

After S.B. 797 passed the Joint Committee on Public Health with amendments clarifying the definition of "surgical technology", the committee reintroduced the measure as S.B. 2340. The Clerk of the Joint Committee on Health Care Financing could not indicate the likelihood of the measure's passage.

**Companion Bill:** 2009 S.B. 797

### **NEW YORK A.B. 2722 - Career Colleges – Higher Education Incentives - Regional or Occupational , Career Colleges – State Financial Aid**

**Sponsor:** Assemblymember J. Gary Pretlow (D)

**Summary:** Establishes a program to provide financial support to applicants who enter or continue in a registered nurse education program. A scholarship award of up to \$15,000 per year of study may be awarded to both full or part-time study and are calculated based on the student's expenses to attend nursing school.

[http://www.assembly.state.ny.us/leg/?default\\_fld=&bn=A02722%09%09&Text=Y](http://www.assembly.state.ny.us/leg/?default_fld=&bn=A02722%09%09&Text=Y)

**Status:** Introduced and referred to Assembly Higher Education Committee January 21, 2009. Hearing scheduled May 4, 2010.

**Outlook:** A source in the committee stated that this measure will be voted on at the May 4 hearing. Limited public testimony will be accepted at the discretion of the Chair. This is a refile of A.B. 6817 from the 2007-2008 session. A.B. 6817 failed to receive initial consideration in the Assembly. The sponsor is a member of the majority party but does not sit on the committee of referral. This bill lacks majority

sponsored companion legislation. Majority sponsored companion legislation is considered important to moving bills through the legislative process.

**NEW YORK A.B. 3575 - Career Colleges – Higher Education Incentives - Regional or Occupational**

**Sponsor:** Assemblymember Nick Perry (D)

**Summary:** Current version (April 14) authorizes the Commissioner to provide tuition reimbursement for nurses who pursue study towards a bachelor's degree in nursing or for other health care workers who pursue associate degrees in nursing.

April 14 version: [http://assembly.state.ny.us/leg/?default\\_fld=&bn=A03575%09%09&Summary=Y&Text=Y](http://assembly.state.ny.us/leg/?default_fld=&bn=A03575%09%09&Summary=Y&Text=Y)

**Status:** Introduced and referred to Assembly Higher Education Committee January 27, 2009. Amended April 14, 2010. Hearing scheduled May 4.

**Outlook:** A source in the committee stated that this measure will be voted on at the May 4 hearing. Limited public testimony will be accepted at the discretion of the Chair. The April 14 amendments changed the title of the bill. This is a refile of A.B. 3993 from the 2007-2008 session. A.B. 3993 failed to receive initial consideration in the Assembly. The sponsor is a member of the majority party but does not sit on the committee of referral. This bill has companion legislation. Companion legislation is considered important to moving bills through the legislative process.

**Companion Bill:** 2009 S.B. 2542

**NEW YORK A.B. 6215 - Career Colleges – State Financial Aid , Nursing Credentialing Issues**

**Sponsor:** Assemblymember Bob Barra (R)

**Summary:** Establishes a baccalaureate and associate nursing assistance program within the Department of Education.

[http://assembly.state.ny.us/leg/?default\\_fld=%0D%0A&bn=A06215%09&Text=Y](http://assembly.state.ny.us/leg/?default_fld=%0D%0A&bn=A06215%09&Text=Y)

**Status:** Introduced and referred to Assembly Higher Education Committee February 26, 2009. Hearing scheduled May 4, 2010.

**Outlook:** A source in the committee stated that this measure will be voted on at the May 4 hearing. Limited public testimony will be accepted at the discretion of the Chair. The bill sponsor, Assemblymember Bob Barra (R), is a member of the minority party and does not sit on the committee of referral, the Higher Education Committee. The bill sponsor introduced identical legislation last session, A.B. 4158, which did not move in committee. The bill lacks a majority sponsored companion in the Senate. Majority-sponsored companion legislation is considered important to moving bills through the legislative process.

**NEW YORK A.B. 10803 - Career Colleges – State Financial Aid**

**Sponsor:** Assemblymember Thomas Alfano (R)

**Summary:** Establishes a regional cost adjustment to Tuition Assistance Program awards.

[http://assembly.state.ny.us/leg/?default\\_fld=%0D%0A&:bn=A10803%09&Summary=Y&Text=Y](http://assembly.state.ny.us/leg/?default_fld=%0D%0A&:bn=A10803%09&Summary=Y&Text=Y)

**Status:** Introduced and referred to Assembly Higher Education Committee April 21, 2010.

**Outlook:** The sponsor is a member of the minority party but sits on the committee of referral. This bill lacks majority sponsored companion legislation, which is considered important to moving bills through the legislative process. Measures in the New York Legislature can be brought up at anytime, even after long periods of inactivity.

## **PENNSYLVANIA H.B. 602 - Allied Health Credentialing Issues**

**Sponsor:** Representative Eddie Pashinski (D)

**Summary:** Final version (March 17, 2009) provides for expanded duties for Expanded Function Dental Assistants. Provides that Expanded Function Dental Assistants can prescribe drugs.

Final version: <http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=HTM&sessYr=2009&:sessInd=0&billBody=H&billTyp=B&:billNbr=0602&:pn=1153>

Introduced version: <http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=HTM&sessYr=2009&:sessInd=0&billBody=H&billTyp=B&:billNbr=0602&:pn=0658>

**Status:** Introduced and referred to Professional Licensure Committee February 24, 2009. Meeting held, amended and passed committee, referred to Appropriations Committee March 17. Passed Appropriations Committee March 23. Passed House March 24. Introduced and referred to Senate Consumer Protection and Professional Licensure Committee March 27. Meeting held, passed committee April 28. Referred to Appropriations Committee May 4. Meeting held, passed committee July 14. Passed Senate April 14, 2010. Sent to Governor Ed Rendell (D) April 20. Signed by Governor April 29.

**Effective Date:** 60 days after passage.

## **WASHINGTON S.B. 6143 - Special Request**

**Sponsor:** WA Senate Ways and Means Committee

**Summary:** Final version (April 10) establishes from May 1, 2010 through June 30, 2013 an additional tax of .30 % on person engaging in any business services. Repeals the business and occupation tax exemptions of out-of-state direct sellers.

Final Version:

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Law%202010/6143-S.SL.pdf>

House Adopted Striker Amendment (March 20):

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/House/6143-S.E2%20AMH%20E-NGR%20H5824.E.pdf>

Senate Adopted Amendments (March 19):

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/Senate/6143-S.E%20AMS%20F-RAN%20CARL%20132.pdf>

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/Senate/6143-S.E%20AMS%20K-EIS%20CARL%20122.pdf>

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/Senate/6143-S.E%20AMS%20K->

[OHL%20CARL%20125.pdf](#)

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/Senate/6143-S.E%20AMS%20P-REN%20CRIS%20156.pdf>

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/Senate/6143-S.E%20AMS%20P-REN%20S5542.2.pdf>

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/Senate/6143-S.E%20AMS%20P-REN%20S5565.1.pdf>

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Amendments/Senate/6143-S.E%20AMS%20R-ANK%20CARL%20124.pdf>

Senate Engrossed Version (March 6):

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Senate%20Bills/6143-S.E2.pdf>

Introduced Version:

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Senate%20Bills/6143.pdf>

**Status:** Introduced and referred to Senate Ways and Means Committee March 30, 2009. Hearing held March 5. Substituted, passed committee March 6, 2010. Passed Senate as amended March 7. Amended by House March 8. Passed House as Substituted March 9. Returned to Senate per Rules March 11. Passed Senate as amended March 19. Passed House as amended March 20. Senate refuses to concur with House changes, conference committee appointed March 25. House adopted Conference Committee Report April 10. Senate adopted Conference Committee Report, sent to Governor Christine Gregoire (D) April 12. Signed by Governor April 23.

**Effective Date:** Varies by section

### **WISCONSIN S.B. 304 - Career Colleges - State Financial Aid**

**Sponsor:** Senator Pat Kreitlow (D)

**Summary:** Provides that a veteran may receive reimbursement for tuition and fees for up to 11 credits for a semester that begins more than ten years after separation from the military, even if the veteran enrolls in more than 11 credits that semester.

<http://www.legis.state.wi.us/2009/data/SB-304.pdf>

**Status:** Introduced and referred to the Senate Committee on Veterans and Military Affairs, Biotechnology, and Financial Institutions September 23, 2009. Hearing held and passed committee January 27, 2010. Passed the Senate and referred to the Assembly Rules Committee April 19. Passed committee, passed the Assembly and awaiting transmittal to Governor James Doyle (D) April 22.

**Outlook:** This bill passed the Assembly by a voice vote and will now go to Governor Jim Doyle (D) for review. Once the Governor receives the bill, he has six business days to sign or veto this legislation or it will become law without his signature. This bill is expected to be formally sent to the Governor by May 13. The Governor is expected to sign this bill into law. This bill passed the Senate without objection. The sponsor is a member of the majority party.

**Effective Date:** Upon final passage.

**WISCONSIN S.B. 431 - Career Colleges - (College Accreditation) , Career Colleges - (Diploma Mills), Career Colleges - Governance & State Oversight**

**Sponsor:** Senator Fred Risser (D)

**Summary:** Current version (March 2) prohibits a school, including a school that is exempt from the Educational Approval Board (EAB) approval requirement, from using the term “college” or “university” in its name unless the school provides an educational program for which it awards an associate or higher degree and the school has accreditation recognized by the U.S. secretary of education; has the foreign equivalent of that accreditation, or has accreditation recognized by the Council for Higher Education accreditation.

Prohibits a school, including a school that is exempt from the EAB approval requirement, from using the term “state” or “Wisconsin” in its name if the use of that term operates to mislead the public into believing that the school is affiliated with the University of Wisconsin System, the technical college system, or this state, unless the school actually is so affiliated. If a school uses the term “college,” “university,” “state,” or “Wisconsin” in violation of the bill, the school may be required to forfeit not more than \$500 for each day of operation without that approval and a student of the school may bring a civil action to recover fees paid to the school, plus costs and disbursements, including reasonable attorney fees.

Prohibits knowingly issuing or manufacturing a false academic credential, knowingly using a false academic credential or falsely claiming to have a legitimate academic credential

Defines “Academic credential” as a degree, transcript, certificate, or other similar document that indicates the completion of a program, course, or course of instruction leading to, or the earning of academic credit toward, the granting of an associate, baccalaureate, or graduate degree.

Defines “False academic credential” as an academic credential issued or manufactured by a person that is not an authorized institution of higher education.

Defines “Legitimate academic credential” as an academic credential issued by an authorized institution of higher education.

Original version: <http://www.legis.state.wi.us/2009/data/SB-431.pdf>

March 2 amendments: <http://www.legis.state.wi.us/2009/data/SB431-SA1.pdf>

**Status:** Introduced and referred to the Senate Committee on Agriculture and Higher Education December 17, 2009. Hearing held February 10, 2010. Hearing held and passed committee February 24. Amended March 2. Passed the Senate and referred to the Assembly Rules Committee March 3. Passed committee, passed the Assembly and awaiting transmittal to Governor James Doyle (D) April 22.

**Outlook:** This bill passed the Assembly by a voice vote and will now go to Governor James Doyle (D) for review. Once the Governor receives the bill, he has six business days to sign or veto this legislation or it will become law without his signature. The Governor is expected to receive this bill by May 13. The Governor is expected to sign this bill into law.

This bill passed the Senate by a vote of 29-2. The sponsor is a member of the majority party. The sponsor worked with the Wisconsin Educational Approval Board in drafting this bill.

**Companion Bill:** 2009 A.B. 624

**Effective Date:** Upon final passage.

## **II. Regulatory Update**

## **CA Department of Consumer Affairs emergency regulation and proposed regulation: Private Postsecondary Institutions Rules**

**Issue:** Career Colleges

**Subissue:** Accreditation Status

**Subissue:** Regulatory Structure

**First Reported:** 01/22/2010

**Date Updated:** 04/26/2010

**Contact:** Joanne Wenzel 916-574-7720

**Citation:** Title 5, Section 70000-76240

**Upcoming Action:** Public hearing 06/07/10; Comments due 06/07/10

**Status:** Hearing/Comments

**Regulation ID:** CA14983

### **Rule Summary:**

The Department completed an emergency regulation and has proposed permanent rules addressing the regulation of private postsecondary educational institutions. The rulemaking is in response to AB 48 (Portantino) which reestablishes regulation of private postsecondary educational institutions in California. Previously, the Bureau for Private Postsecondary and Vocational Education regulated these institutions, however the rules were repealed in January 2008. The emergency rule and permanent rules adopt the original rules that had been in place 06/30/07.

The rulemaking includes the following updates: (1) amend the existing regulations to define terms used in the Act; (2) define the process to be used for the period during which Bureau is able to review applications that have been pending since the former Bureau sunset; (3) define the process by which a non-accredited institution can apply for approval to operate from the Bureau; (4) define the process by which an accredited institution can apply for approval to operate from the Bureau; (5) define the process by which an institution exempt from regulation can apply for verification of exempt status from the Bureau; (6) define the process by which the Bureau processes and denies an application, including provisions for abandonment of an application; (7) define the process for convening a visiting committee to assist the Bureau in reviewing applications; (8) define the process by which an institution can apply for renewal of its approval to operate from the Bureau; (9) define the process by which an institution can apply for a substantive change to its approval to operate from the Bureau; (10) define the minimum operating standards for an institution applying for approval to operate, which must be established in its application; (11) define the minimum academic achievement and admissions standards for an institution applying for approval to operate, which must be established in its application; (12) define the minimum standards for maintaining student and institutional records for an institution applying for approval to operate, which must be established in its application; (13) establish the required fees and payment schedules; (14) establish the standards for the statutory reporting requirements; (15) establish the standards for general provisions for compliance with the Act, including criteria for what is a substantially related conviction, rehabilitation criteria, advertising requirements, and provisions for stipulations; (16) establish the general provisions for the Student Tuition Recovery Fund (STRF); and (17) establish the provisions for the calculating the amount of the required STRF assessments.

Notice of the proposed permanent rule is available at: (pdf pg 4)

<http://www.oal.ca.gov/res/docs/pdf/notice/17z-2010.pdf>

Text of proposal:

[http://www.bppe.ca.gov/lawsregs/propregs\\_lang.pdf](http://www.bppe.ca.gov/lawsregs/propregs_lang.pdf)

Notice of the 03/15/10 advisory committee meeting is available at:

[http://bppe.ca.gov/about\\_us/agenda\\_20100315.pdf](http://bppe.ca.gov/about_us/agenda_20100315.pdf)

Notice of the emergency rule adoption is available at: (pdf pg 29)  
<http://www.oal.ca.gov/res/docs/pdf/notice/7z-2010.pdf>

A copy of the emergency rule is available at:  
<http://www.bppve.ca.gov/leg/index.shtml>

#### **Rule Development:**

Staff have released notice of the permanent rulemaking. A public hearing is scheduled 06/07/10. Comments are due 06/07/10.

The Department released notice of the emergency rules. The emergency rules are effective 02/01/10. Staff held a webcast event 02/16/10 at 10 am (PST) to discuss the regulation. Formal notice of the emergency rule adoption was released in the California Register 02/12/10. Staff held a public advisory committee meeting 03/15/10. The meeting included a general discussion of the proposed amendments.

#### **NE Department of Education adopted regulation effective 05/04/10: Authorization to Operate Private Postsecondary Career Schools; Private Postsecondary Career Schools Agents and Issuance of Certificates of Approval to Recruit.**

**Issue:** Career Colleges

**Subissue:** Accreditation Status

**First Reported:** 02/17/2010

**Date Updated:** 04/29/2010

**Contact:** Brenda Wid (402) 471-0310

**Citation:** 92 NAC 41, 42

**Upcoming Action:** Nothing scheduled

**Status:** Pending Publication

**Regulation ID:** NE15278

#### **Rule Summary:**

The Nebraska Department of Education (Department) has adopted amendments to its regulations concerning the authorization to operate private postsecondary career schools and private postsecondary career schools agents and issuance of certificates of approval to recruit. Specifically, the amendments increase the fees for applications to operate, renewal applications, approval to operate branch facilities, initial authorization to award associates and bachelor degrees, among others.

Notice of Hearing:

[http://www.sos.state.ne.us/rules-and-regs/regtrack/details.cgi?proposal\\_id=0000000000000807](http://www.sos.state.ne.us/rules-and-regs/regtrack/details.cgi?proposal_id=0000000000000807)

Proposed Regulations:

<http://www.sos.state.ne.us/rules-and-regs/regtrack/proposals/0000000000000807.pdf>

#### **Rule Development:**

The Department adopted the amendments effective 05/04/10. An on-line copy of the adopted regulations is pending publication.

Source: Department contact.

#### **WY Board for Respiratory Care proposed rules: Respiratory Care Rules and Regulations.**

**Issue:** Professional Board Requirements

**First Reported:** 04/14/2010  
**Date Updated:** 04/29/2010  
**Contact:** Tim D. Crawford 307-777-3507  
**Citation:** Respiratory Care Rules and Regulations  
**Upcoming Action:** Comments due 05/25/10  
**Status:** Comments  
**Regulation ID:** WY15715

**Rule Summary:**

The Board has proposed amendments to respiratory care rules and regulations. The amendments will revise provisions in the following chapters: (1) Chapter 1, General Provisions; (2) Chapter 2, Organization and Procedures of the Board; (3) Chapter 3, Licensure Requirements and Application Procedures; (4) Chapter 4, Fees; (5) Chapter 5, License Renewal and Continuing Education; (6) Chapter 6, Standards of Professional Conduct; and (7) Chapter 8, Complaints: Practice and Procedure. The amendments will delete Chapter 9, Reinstatement of License After Disciplinary Action.

Proposed Rules:

[http://www.stateside.com/Attachments/15772\\_WY15715 - Proposed Rules.pdf](http://www.stateside.com/Attachments/15772_WY15715_-_Proposed_Rules.pdf)

Notice of Intent to Adopt Rules:

<http://soswy.state.wy.us/Rules/RULES/7802.pdf>

**Rule Development:**

The Board will accept comments concerning the rule until 05/25/10.