

**PROPOSED ORDER OF THE
DEPARTMENT OF VETERANS AFFAIRS
CREATING RULES**

The Wisconsin Department of Veterans Affairs adopts an order to create chapter VA 18, relating to the administration of the registered nurse education stipend program.

Analysis prepared by the Department of Veterans Affairs.

Statutory authority: s. 45.365 (7), Stats.

Statute interpreted: s. 45.365 (7), Stats.

The creation of chapter VA 18 establishes the application process, eligibility criteria, stipend amount, repayment provisions, and employment requirements for the administration of the stipend program authorized by the legislature and governor in 2003 Wis. Act 33. The stipend program was enacted to provide stipends to individuals to attend school and receive the necessary credentials to become employed as a registered nurse at the Veterans Homes operated by the Department of Veterans Affairs at King and Union Grove, Wisconsin. An individual who already has credentials as a registered nurse would not be entitled to a stipend. An individual already employed by the Department of Veterans Affairs, other than as a registered nurse, would be able to apply for the stipend, subject to the criteria applicable to any other applicant. The statutory authority cited above directs the Department of Veterans Affairs to promulgate rules for the stated purposes.

There are no current or pending federal regulations that address stipends for registered nurses as an inducement to become employees of the State Veterans facilities. There are no similar rules in adjacent states. This rule has no regulatory aspect to it, has no effect upon small businesses, nor any significant fiscal effect on the private sector. The rule provides a mechanism to facilitate employment of registered nurses by the Department of Veterans Affairs.

Text of the Rule

Chapter VA 18 is created to read:

REGISTERED NURSE EDUCATION STIPEND PROGRAM

VA 18.01 Definitions. In this chapter:

- (1) "Department" means the department of veterans affairs.
- (2) "Home" means the Wisconsin Veterans Homes at King and Union Grove.

- (3) "Stipend" means a payment made to an individual under s. 45.365 (7), Stats.
- (4) "Veteran" means an individual as defined in s. 45.001 (4), Stats.

VA 18.02 Eligibility, application procedure, stipend amount, and agreement.

- (1) **ELIGIBILITY.** An applicant's eligibility to receive a stipend shall be determined under all of the following criteria:
 - (a) The applicant has been accepted into the registered nurse program at an accredited school of nursing in this state.
 - (b) The applicant has sufficient credits so that it is reasonable to conclude that the applicant will attain the credentials necessary to become employed by the home as a registered nurse within two years of receipt of an initial stipend payment.
 - (c) If the applicant has completed courses towards the required credentials at the time of application, the applicant must be a student in good standing, as verified by the school.
 - (d) The applicant agrees to enter into a written agreement under sub. (4).
- (2) **APPLICATION PROCEDURE.** An individual may file an application with the department on a form approved by the department. The applicant shall provide sufficient information to establish that the applicant meets the eligibility criteria of sub. (1). The department shall periodically evaluate applications and interview those applicants who meet the eligibility criteria. Subsequent to an interview, the department shall certify an applicant who meets the eligibility criteria and who is determined to be a suitable employee as a registered nurse at the home. The applicant shall be certified for a 6-month period. The department may provide a stipend to a certified applicant upon the applicant's execution of an agreement under sub. (4). If the payment of stipends to all currently-certified applicants would deplete the amount of funds available for the payment of stipends, the department may give priority to certified applicants who are veterans or dependents of veterans.

NOTE: Application forms may be obtained from the Veterans Home at N2665 County Road QQ, King, Wisconsin 54946-0600, telephone number (715) 258-4249.

- (3) **STIPEND AMOUNT.** The department may award a stipend to a certified applicant of up to \$3750.00 per semester to a full-time student and \$1875.00 per semester to a part-time student. The initial stipend payment shall be provided within 60 days of the execution of the written agreement entered into under sub. (4). Subsequent stipend payments shall be provided in separate payments for each semester attended by the applicant, subject to the

conditions of the written agreement entered into under sub. (4). The amount received as a stipend shall be disregarded by the department in determining the applicant's entitlement to a grant under s. 45.25, s. 45.396, or s. 45.397, Stats.

- (4) **AGREEMENT.** The department and the applicant shall enter into a written agreement signed by the applicant prior to the payment of a stipend. The agreement shall identify the terms of participation for the department and applicant. Specifically, the agreement shall require that the applicant refund a prorated amount of the stipend if any of the following apply:
- (a) The applicant fails to satisfactorily complete a semester or course which precludes the applicant from completing the registered nurse training program within the time period designated in the agreement.
 - (b) The applicant fails to maintain the status of a student in good-standing, as verified by the school.
 - (c) The applicant fails to accept or maintain employment as a registered nurse with the department for the time period designated in the agreement.

VA 18.03 Administrative review. Any department decision under this chapter is subject to appeal under s. VA 1.03.

Dated at Madison, Wisconsin, August 11, 2004.

JOHN A. SCOCOS, Secretary
State of Wisconsin
Department of Veterans Affairs