

**Nevada Office of the Western Interstate Commission for Higher  
Education (Nevada WICHE Commission)  
Notice of Hearing for the Adoption and Amendment of Regulations**

~~Thursday~~ ~~Friday~~, October 19, 2023, 1:00 pm

Pursuant to NRS 241.023 (1)(c) the meeting is being conducted by means of remote technology. The public may attend at the following location:

Nevada System of Higher  
Education System  
Administration Building  
2601 Enterprise Road  
Reno, NV 89512  
Room 114

Video or Telephone Conference Connection from the Meeting Site to:

Nevada System of Higher  
Education System  
Administration Building  
4300 S. Maryland Parkway  
Las Vegas, NV 89119  
~~Room 105~~, **Room 110**

Via Telephone: Dial 1-253-215-8782, Meeting ID: 931 4367 9251, Passcode: 568665

**IMPORTANT INFORMATION ABOUT THE AGENDA AND PUBLIC MEETING**

NOTICE IS HEREBY GIVEN that the Nevada Office of Western Interstate Commission for Higher Education (Nevada WICHE Commission) will hold a public hearing for the purpose of adoption and amendments of permanent regulations to Nevada Administrative (NAC) Chapter 397.

The need for and purpose of the proposed regulations is to provide for implementation of the amendments of NRS Chapter 397 enacted by Assembly Bill 247 and Senate Bill 446 of the 2021 Legislative Session. The proposed regulations will be permanent regulations, and the proposed language is attached to this Notice.

Pursuant to NRS 233B.0608 sec. 1, the Nevada Office of WICHE made a concerted effort to determine whether the proposed regulations (LCB File No. R188-22) had a direct and significant economic burden upon a small business; or directly restrict the formation, operation or expansion of a small business. Based on the Nevada Office of WICHE mission to provide tuition assistance to individuals studying various allied health profession in exchange for employment commitments upon graduation it has been determined that these proposed regulations do not impose a direct and significant burden upon a small business or directly restrict the formation, operation or expansion of a small business. The proposed regulations apply to the participants in the Nevada Office of WICHE Professional Student Exchange (PSEP) and Health Profession Education Program (HPEP) under Nevada Revised Statute 397 which are individuals. Therefore, these regulations have no direct or significant impact on small business.

## Amended Notice – Amending Room for Las Vegas Location Only and Correction in Day

Persons wishing to comment upon the proposed action of Nevada WICHE Commission may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to [nvwiche@nevada.edu](mailto:nvwiche@nevada.edu). Written submissions must be received by the Nevada WICHE Commission on or before 1:00 p.m. on October 19, 2023. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada WICHE Commission may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be Adopted, Amended, and Repealed will be on file at the State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be Adopted, Amended, and Repealed will be available at Nevada System of Higher Education System Administration Building, 2601 Enterprise Road, Reno NV 89512 and Nevada System of Higher Education System Administration Building, 4300 S. Maryland Parkway, Las Vegas NV 89119.

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to [NRS 233B.0653](#), and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

- Nevada WICHE’s website: <https://nvwiche.nevada.edu/>
- Nevada System of Higher Education: 2601 Enterprise Road, Reno, NV 89512
- Nevada System of Higher Education: 4300 S. Maryland Pkwy, Las Vegas, NV 89119
- The Nevada Legislature’s website: <https://www.leg.state.nv.us/App/Notice/A/>
- Nevada Public Notice Website: <https://notice.nv.gov>

Below is an agenda of all items scheduled to be considered. Notification is hereby provided that items on the agenda may be taken out of the order presented, including moving an item to a different day if the meeting is noticed for more than one day, two or more agenda items may be combined for consideration, and an agenda item may be removed from the agenda or discussion relating to an item on the agenda may be delayed at any time.

The Commission is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements are necessary, please notify us via email at [nvwiche@nevada.edu](mailto:nvwiche@nevada.edu) or call 775-784-4901 as far in advance as possible.

Some agenda items are noted as having accompanying reference material. The agenda and associated reference material may also be accessed on the Internet by visiting the Nevada Office

**Amended Notice – Amending Room for Las Vegas Location Only and Correction in Day**

of WICHE website at: <https://nvwiche.nevada.edu/>. Copies of reference material and any supporting materials that are submitted to the Nevada WICHE Commission after the posting of this agenda and before or during the meeting will be made available at the NV WICHE Commission Office, 2601 Enterprise Road, Reno, Nevada 89512. A copy may be requested by contacting Director Patty Porter by email at [nvwiche@nevada.edu](mailto:nvwiche@nevada.edu) or by telephone at 775-784-4901. Copies of any such additional materials will also be available at Nevada WICHE Commission website at: <https://nvwiche.nevada.edu/>.

**BOARD**

**ROLL CALL:**

Mr. Fred Lokken, Executive Commissioner \_\_\_\_\_  
Ms. Cathy Dinauer, Commissioner \_\_\_\_\_  
Mr. Dale Erquiaga, Commissioner \_\_\_\_\_

**2. PUBLIC COMMENT**

**INFORMATION ONLY**

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name. The Executive Commissioner may elect to allow additional public comment on a specific agenda item when that agenda item is being considered.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General’s Open Meeting Law Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada Office of the Western Interstate Commission of Higher Education, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

**3. HEARING TO SOLICIT COMMENTS ON PROPOSED ADDITION OF SECT. 2-6, 11-12 AND AMENDMENT TO NAC 397.010 AND NAC 397.018 NEVADA ADMINISTRATIVE CODE (NAC) 397**

**FOR POSSIBLE ACTION**

NAC 397 section 2-6, 11-12 amends Chapter 397 of NAC by adding section 2-6 defining “Director”, “Essential Field”, “Stipend” and “Rural area” and amending NAC 397.010 definition of “Commission” and NAC 397.018 definition of “residence”.

(Ref. 2-Proposed Regulation of the Nevada State Commissioners of the Western Interstate Commission for Higher Education, LCB File No. R188-22, Ref. 4-NRS 397 Western Regional Compact)

*ESTIMATED TIME: 5 minutes*

**4. HEARING TO SOLICIT COMMENTS ON**

**FOR POSSIBLE ACTION**

**PROPOSED ADDITION OF SECT. 7 TO NAC 397**

NAC 397 section 7 defines program eligibility requirements for applicants.

(Ref. 2-Proposed Regulation of the Nevada State Commissioners of the Western Interstate Commission for Higher Education, LCB File No. R188-22)

*ESTIMATED TIME: 5 minutes*

**5. HEARING TO SOLICIT COMMENTS ON FOR POSSIBLE ACTION  
PROPOSED ADDITION OF SECT. 8 TO NAC 397**

NAC 397 section 8 defines Commission duties if a participant does not meet the requirements of NRS 397.0645.

(Ref. 2-Proposed Regulation of the Nevada State Commissioners of the Western Interstate Commission for Higher Education, LCB File No. R188-22, Ref. 4-NRS 397 Western Regional Compact)

*ESTIMATED TIME: 5 minutes*

**6. HEARING TO SOLICIT COMMENTS ON FOR POSSIBLE ACTION  
PROPOSED ADDITION OF SECT. 9-10 TO NAC 397 AND  
AMENDMENT TO SECT. 13-16 OF NAC 397.**

NAC 397 addition of section 9-10 and amendment of 13-16 (NAC 397.020, 397.030, 397.050, 397.060) defines the type of petitions participants may submit to the Commission such as reduction of required practice, reduction of fines, reduction of loan amount for partially completed practice, extension for completing required practice, reduction of loan or stipend due to hardship and extension for repayment of loan or stipend converted to a loan. It also limits the reduction of required practice to 1 year and defines the process for a participant to appeal a denial of a petition.

(Ref. 2-Proposed Regulation of the Nevada State Commissioners of the Western Interstate Commission for Higher Education, LCB File No. R188-22)

*ESTIMATED TIME: 5 minutes*

**7. HEARING TO SOLICIT COMMENTS ON FOR POSSIBLE ACTION  
PROPOSED AMENDMENT OF SECT. 17 TO NAC 397**

NAC 397 amendment of section 17 (NAC 397.070) defines Commission action for any stipend that is converted to a loan pursuant to NRS 397.0645, defines that the Director may negotiate terms of repayment of a stipend converted to a loan, without limitation, how and when a recipient of such a loan who is in default will be required to make payments, and if a stipend converted to a loan pursuant to NRS 397.0645 is in default of 120 days or more the Director may coordinate debt collection efforts as the Director deems necessary.

(Ref. 2-Proposed Regulation of the Nevada State Commissioners of the Western Interstate Commission for Higher Education, LCB File No. R188-22, Ref. 3-NRS 397 Western Regional Compact)

**8. HEARING TO SOLICIT COMMENTS ON SECT. 18      FOR POSSIBLE ACTION**  
**PROPOSED DELETION OF NAC 397.040 TO NAC 397**

Amendment of NAC 397.030 eliminates the 2-year maximum that can be approved to extend the period for completing the required practice beyond 5 years as prescribed by NRS 397.0645. Due to this amendment NAC 397.040 is no longer necessary.

(Ref. 2-Proposed Regulation of the Nevada State Commissioners of the Western Interstate Commission for Higher Education, LCB File No. R188-22, Ref. 3-NRS 397 Western Regional Compact)

*ESTIMATED TIME: 5 minutes*

**9. PUBLIC COMMENT      INFORMATION ONLY**

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name. The Committee Chair may elect to allow additional public comment on a specific agenda item when that agenda item is being considered.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Nevada Office of the Western Interstate Commission of Higher Education, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

**PROPOSED REGULATION OF THE NEVADA STATE  
COMMISSIONERS OF THE WESTERN INTERSTATE  
COMMISSION FOR HIGHER EDUCATION**

**LCB File No. R188-22**

August 10, 2023

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1-6, 11, 12 and 18, NRS 397.020, 397.030 and 397.040; § 7, NRS 397.020, 397.030, 397.040 and 397.060; §§ 8 and 10, NRS 397.020, 397.030, 397.040, 397.064 and 397.0645; §§ 9 and 15-17, NRS 397.020, 397.030, 397.040 and 397.0645; § 13, NRS 397.020, 397.030, 397.040, 397.0645 and 397.0685; § 14, NRS 397.020, 397.030, 397.040, 397.0645 and 397.069.

A REGULATION relating to the Western Interstate Commission for Higher Education; defining certain terms relating to the Commission and the Western Regional Education Compact; establishing requirements to participate in certain programs; establishing a default charge for noncompliance with certain requirements relating to a stipend; providing the manner in which to apply for a reduction of certain amounts owed; providing the manner in which to appeal the imposition of a fine or expulsion from certain programs; revising provisions governing the period of required practice for certain programs; establishing provisions for the repayment of certain loans; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the execution of the Western Regional Education Compact for the purpose of this State cooperating with certain other western states in the formation of the Western Interstate Commission for Higher Education. (NRS 397.010) Under the terms of the Compact, residents of this State may participate in programs that provide financial support to assist them in attending colleges and universities located within the states and territories that are signatories to the Compact. (NRS 397.020) The Compact: (1) creates the Commission, which consists of three Commissioners from each state or territory that is a signatory to the Compact; and (2) requires the Commission to establish and maintain an office within one of the compacting states. (NRS 397.020) Existing law: (1) creates the Nevada Office of the Commission (the "Nevada Office"), which consists of the three Commissioners from this State and a Director; and (2) requires the three Commissioners from this State to appoint the Director of the Nevada Office. (NRS 397.030) Existing law requires a participant who receives a stipend, or a stipend which is converted to a loan pursuant to the Compact and existing law, to repay the stipend or loan, unless the participant meets certain requirements, including, without limitation,

to practice the profession for which the degree, certificate or similar credential was awarded for a certain period of time in this State. (NRS 397.0645, as amended by section 1 of Senate Bill No. 342, chapter 445, Statutes of Nevada 2021, at page 2730) Existing law requires the three Commissioners from this State to adopt regulations governing: (1) the repayment of loans, including, without limitation, the period allowed for repayment and the minimum amount that may be repaid in installment; (2) the reduction of the period of required practice in the profession for which the degree, certificate or similar credential was awarded to a participant; and (3) authorized exemptions or extensions from the required practice obligation. (NRS 397.064, 397.0685, 397.069) Existing law also authorizes the three Commissioners from this State to adopt other regulations as necessary to effectuate the purposes of the Compact. (NRS 397.030) Existing law authorizes the three Commissioners from this State to take disciplinary action against a participant who fails to comply with the existing law and regulations, including, without limitation, by imposing fines or expulsion from the program for which the participant received a stipend. (NRS 397.068)

**Sections 3-6, 11 and 12** of this regulation define and interpret certain terms relating to the Compact and enforcement of the related provisions of existing law and regulations. **Section 2** of this regulation makes a conforming change to indicate the proper placement of **sections 3-6** in the Nevada Administrative Code. **Section 7** of this regulation establishes certain criteria which a participant must meet to participate in a program administered by the Nevada Office. **Section 8** of this regulation establishes a 10 percent default charge to be assessed against a participant who fails to comply with certain requirements and the stipend of the participant is consequently converted to a loan which must be repaid. **Section 9** of this regulation authorizes a participant to apply for a reduction of the amount owed if the participant has partially completed the required period of practice in a rural area of this State or as an employee of this State. **Section 10** of this regulation prescribes the process by which a participant may appeal the imposition of a fine or expulsion from a program.

Existing regulations authorize a participant to apply for: (1) a reduction of the period of required practice; (2) an extension of the period for completing the required practice; (3) an extension of the period for the repayment of a loan or stipend; and (4) a reduction of the principal balance of a loan or stipend because of hardship. (NAC 397.020, 397.030, 397.050, 397.060) **Sections 13-16** of this regulation revise the process for such applications by adding requirements for a participant to include supporting documentation with any such application. **Section 13** also adds a requirement that a reduction of the period of required practice may be granted for good cause. **Sections 14 and 15** of this regulation remove the requirement that each extension of the period to complete a period of required practice or repay a loan or stipend must be not longer than 2 years, thus authorizing the Commissioners from this State to grant longer extensions. **Section 17** of this regulation requires the Commissioners from this State to establish the interest rate and certain other terms for the repayment of a stipend that is converted to a loan. **Section 18** of this regulation repeals provisions governing the period of time required to complete required practice for a participant who agrees to practice in a medically underserved area of this State, thus making such a participant subject to existing law and regulations which govern all participants.

**Section 1.** Chapter 397 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 397.010 and sections 3 to 6, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Director” means the Director of the Nevada Office appointed by the Commission pursuant to NRS 397.030.*

**Sec. 4.** *“Essential field” means an occupation defined as an essential field by the Commission pursuant to the Compact.*

**Sec. 5.** *“Stipend” means the financial support that is provided to a participant pursuant to NRS 397.0615.*

**Sec. 6.** *“Rural area” has the meaning ascribed to it in 42 U.S.C. § 1490.*

**Sec. 7.** *To be eligible for participation in a program administered by the Nevada Office, an applicant must:*

- 1. Have resided in this State for not less than 1 year before applying for the program;*
- 2. Be admitted to or enrolled in a regionally accredited program that prepares a participant to work in an essential field in this State;*
- 3. Have the intent to practice in an essential field in this State; and*
- 4. Submit to the Nevada Office any documentation deemed necessary by the Nevada Office to determine, by clear and convincing evidence, that the applicant satisfies the requirements of subsections 1, 2 and 3.*

**Sec. 8.** *If a participant does not meet the requirements prescribed by NRS 397.0645, as amended by section 1 of Senate Bill No. 342, chapter 445, Statutes of Nevada 2021, at page 2730, the Commission shall:*

*1. Convert the stipend into a loan pursuant to NRS 397.0645 to be repaid in accordance with NRS 397.064; and*

*2. Assess a default charge which is equal to 10 percent of the total amount of the stipend.*

**Sec. 9.** *1. To apply for a decrease of the amount owed under a stipend that is converted to a loan pursuant to NRS 397.0645 due to partial completion of the required practice, a participant must submit a petition to the Commission in writing after having practiced for not less than 1 year in the profession for which the participant was awarded the degree, certificate or similar credential. The petition must contain the reasons and any supporting documentation for requesting the reduction.*

*2. The practice must have been:*

*(a) In a rural area of this State with at least one-half of the overall practice time of the participant having been in the rural area; or*

*(b) As a full-time employee of this State who has been continuously employed by this State for not less than 1 year.*

*3. If the Commission grants a petition pursuant to this section, the Commission will reduce the amount owed in proportion to the amount of required practice which has been completed.*

*4. If the Commission denies a petition pursuant to this section, the petitioner may appeal to the Commission by submitting a request for an appeal in writing not later than 10 days after his or her receipt of the notice of denial.*

**Sec. 10.** *1. To apply for a reduction of any fine or fines imposed pursuant to NRS 397.068, a participant must submit a petition to the Commission in writing, which must contain the reasons and any supporting documentation for requesting the reduction.*

2. *To appeal an expulsion from a program pursuant to NRS 397.068, a participant must submit a petition to the Commission in writing, which must contain the reasons and any supporting documentation for the appeal.*

Sec. 11. NAC 397.010 is hereby amended to read as follows:

397.010 ~~As used in this chapter, unless the context otherwise requires, “commissioners”~~  
“*Commission*” means the *Commission consisting of* three persons appointed *by the Governor pursuant to NRS 397.030* to represent Nevada on the Western Interstate Commission for Higher Education ~~acting jointly~~ *and to govern the Nevada Office.*

Sec. 12. NAC 397.018 is hereby amended to read as follows:

397.018 For the purposes of NRS 397.060, “residence” means the physical presence of a ~~person~~ *participant* within this State. If a ~~person~~ *participant* leaves this State with the intention in good faith to return without delay and continue his or her residence, the time of such absence is not considered in determining the fact of residence.

Sec. 13. NAC 397.020 is hereby amended to read as follows:

397.020 1. To apply for a reduction of the period of required practice ~~as authorized~~  
*prescribed* by ~~paragraph (a) of subsection 2 of~~ NRS 397.0645, *as amended by section 1 of Senate Bill No. 342, chapter 445, Statutes of Nevada 2021, at page 2730*, a ~~person~~ *participant* must submit a petition to the ~~commissioners~~ *Commission* in writing after having practiced continuously for not less than 1 year *in* the profession *for* which the ~~person~~ *participant* was ~~certified to study~~ *awarded the degree, certificate or similar credential*. The petition must contain the reasons *and any supporting documentation* for requesting the reduction.

2. The practice must have been:

(a) In a rural area of this State, with at least one-half of the ~~{person's}~~ overall practice time *of the participant* having been spent in the rural area; or

(b) As a full-time employee of this State ~~{}~~ *who has been continuously employed by this State for not less than 1 year.*

3. *The Commission may grant a reduction of the period of required practice for good cause, including, without limitation, for:*

*(a) Military service;*

*(b) Service in the Peace Corps or the AmeriCorps VISTA program;*

*(c) Participation in the National Health Service Corps Scholarship Program;*

*(d) Continuation of education in the field of study or specialization of the petitioner;*

*(e) Interruption of study due to financial hardship;*

*(f) Illness;*

*(g) Failure to fulfill any professional licensing requirement; or*

*(h) Any other circumstance deemed appropriate by the Commission.*

4. If the ~~{commissioners grant}~~ *Commission grants* a petition submitted pursuant to this section, the ~~{commissioners}~~ *Commission* will reduce the period of required practice by not more than 1 year.

~~{4.}~~ 5. If the ~~{commissioners deny}~~ *Commission denies* a petition submitted pursuant to this section, the petitioner may appeal to the ~~{commissioners}~~ *Commission* by submitting a request for an appeal in writing not later than 10 days after his or her receipt of the notice of denial.

~~{5. As used in this section, "rural area" means any part of this State which is 50 miles or more from the corporate boundaries of the cities of Carson City, Reno or Las Vegas.}~~

**Sec. 14.** NAC 397.030 is hereby amended to read as follows:

397.030 1. To apply for an extension of the period for completing the required practice beyond 5 years as ~~authorized~~ *prescribed* by ~~paragraph (b) of subsection 2 of~~ NRS 397.0645, a ~~person~~ *participant* must submit a petition to the ~~commissioners~~ *Commission* in writing before the period for completion has expired. The petition must contain the reasons *and any supporting documentation* for requesting the extension.

2. The ~~commissioners will~~ *Commission may* grant an extension for good cause, including, without limitation:

- (a) Military service;
- (b) Service in the Peace Corps or the AmeriCorps VISTA program;
- (c) Participation in the National Health Service Corps Scholarship Program;
- (d) Continuation of education in the petitioner's field of study or specialization;
- (e) Interruption of study due to financial hardship;
- (f) Illness;
- (g) Failure to fulfill any professional licensing requirement; or
- (h) Any other circumstance deemed appropriate by the ~~commissioners.~~ *Commission.*

3. ~~An extension granted pursuant to paragraph (g) of subsection 2 must be for not longer than 2 years after the date on which the first professional examination was administered after the graduation of the petitioner from the program for which he or she received state contributions for stipends, except that the person may apply for an additional extension for good cause. Any additional extension must be for not longer than 2 years after the expiration of the prior extension.~~

~~—4.~~ If the ~~{commissioners deny}~~ *Commission denies* a petition submitted pursuant to this section, the petitioner may appeal to the ~~{commissioners}~~ *Commission* by submitting a request for an appeal in writing not later than 10 days after his or her receipt of the notice of denial.

**Sec. 15.** NAC 397.050 is hereby amended to read as follows:

397.050 1. To apply for an extension of the period for the repayment of a ~~{loan or}~~ stipend ~~{as authorized by NRS 397.069,}~~ *that is converted to a loan pursuant to NRS 397.0645*, a ~~{person}~~ *participant* must submit a petition to the ~~{commissioners}~~ *Commission* in writing not later than 120 days after the date on which default on the repayment occurs. The petition must contain the reasons *and any supporting documentation* for requesting the extension.

2. The ~~{commissioners}~~ *Commission* will grant an extension for good cause, including, without limitation:

- (a) Military service;
- (b) Service in the Peace Corps or the AmeriCorps VISTA program;
- (c) Participation in the National Health Service Corps Scholarship Program;
- (d) Continuation of education in the petitioner's field of study or specialization;
- (e) Interruption of study due to financial hardship;
- (f) Illness;
- (g) Failure to fulfill any professional licensing requirement; or
- (h) Any other circumstance deemed appropriate by the ~~{commissioners.}~~ *Commission.*

3. ~~{An extension granted pursuant to paragraph (g) of subsection 2 must be for not longer than 2 years after the date on which the first professional examination was administered after the graduation of the petitioner from the program for which he or she received state contributions for loans or stipends, except that the person may apply for an additional extension for good cause.}~~

~~Any additional extension must be for not longer than 2 years after the expiration of the prior extension.~~

~~—4.]~~ If the ~~{commissioners deny}~~ *Commission denies* a petition submitted pursuant to this section, the petitioner may appeal to the ~~{commissioners}~~ *Commission* by submitting a request for an appeal in writing not later than 10 days after his or her receipt of the notice of denial.

**Sec. 16.** NAC 397.060 is hereby amended to read as follows:

397.060 1. To apply for a reduction of the principal balance of a ~~{loan or}~~ stipend *that is converted to a loan pursuant to NRS 397.0645* because of hardship, a ~~{person}~~ *participant* must submit a petition to the ~~{commissioners}~~ *Commission* in writing. The petition must contain the reasons *and any supporting documentation* for requesting the reduction.

2. If the ~~{commissioners deny}~~ *Commission denies* a petition submitted pursuant to this section, the petitioner may appeal to the ~~{commissioners}~~ *Commission* by submitting a request for an appeal in writing not later than 10 days after his or her receipt of the notice of denial.

**Sec. 17.** NAC 397.070 is hereby amended to read as follows:

397.070 1. ~~{Pursuant to NRS 397.0655, the}~~ *The Commission will, for any stipend that is converted to a loan pursuant to NRS 397.0645:*

*(a) Establish an interest rate not to exceed 8 percent per year; and*

*(b) Schedule the repayment of such a loan for a period:*

*(1) Not to exceed 5 years for a loan that is less than \$10,000;*

*(2) Not to exceed 8 years for a loan that is at least \$10,000 but less than \$20,000; and*

*(3) Not to exceed 10 years for a loan that is \$20,000 or more.*

2. *The* Director of the ~~{Western Interstate Commission for Higher Education}~~ *Nevada Office* may negotiate the terms of repayment of a ~~{loan or}~~ stipend ~~{}~~ *that is converted to a loan*

*pursuant to NRS 397.0645*, including, without limitation, how and when a recipient of *such* a loan ~~for stipend~~ who is in default will be required to make payments.

~~2.~~ 3. If a recipient of a ~~loan or~~ stipend *that is converted to a loan pursuant to NRS 397.0645* is in default of payment for 120 days or more, the Director may coordinate debt collection efforts as the Director deems necessary.

**Sec. 18.** NAC 397.040 is hereby repealed.

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### TEXT OF REPEALED SECTION

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**397.040 Period to complete required practice in medically underserved area of State; petition for extension.** (NRS 397.020, 397.040, 397.0617)

1. A person who receives a support fee because he or she agrees to practice in a profession in a medically underserved area of this State for at least 2 years pursuant to NRS 397.0617 must complete that practice within 5 years after the person completes or terminates the education, internship or residency for which he or she received the support fee unless an extension is granted pursuant to this section.

2. A person may apply for an extension of the period to complete his or her practice by submitting a petition to the commissioners in writing before the period for completion has expired. The petition must contain the reasons for requesting the extension.

3. The commissioners will grant an extension for good cause, including, without limitation:

(a) Military service;

- (b) Service in the Peace Corps or the AmeriCorps VISTA program;
- (c) Participation in the National Health Service Corps Scholarship Program;
- (d) Continuation of education in the petitioner's field of study or specialization;
- (e) Interruption of study due to financial hardship;
- (f) Illness;
- (g) Failure to fulfill any professional licensing requirement; or
- (h) Any other circumstance deemed appropriate by the commissioners.

4. An extension granted pursuant to paragraph (g) of subsection 3 must be for not longer than 2 years after the date on which the first professional examination was administered after the graduation of the petitioner from the program for which he or she received a support fee, except that the person may apply for an additional extension for good cause. Any additional extension must be for not longer than 2 years after the expiration of the prior extension.

5. If the commissioners deny a petition submitted pursuant to this section, the petitioner may appeal to the commissioners by submitting a request for an appeal in writing not later than 10 days after his or her receipt of the notice of denial.

[Rev. 5/1/2022 9:29:44 PM--2021]

## CHAPTER 397 - WESTERN REGIONAL EDUCATION COMPACT

<a href="#">NRS 397.001</a>	<b>Definitions.</b>
<a href="#">NRS 397.002</a>	“Compact” defined.
<a href="#">NRS 397.003</a>	“Nevada Office” defined.
<a href="#">NRS 397.004</a>	“Participant” defined.
<a href="#">NRS 397.005</a>	“State” defined.
<a href="#">NRS 397.010</a>	Execution of compact authorized; notice of intention to withdraw.
<a href="#">NRS 397.020</a>	Form and contents.
<a href="#">NRS 397.030</a>	Number, qualifications, terms, removal and authority of Commissioners; creation of Nevada Office.
<a href="#">NRS 397.040</a>	Authority of state officers; declaration of state policy; state agencies’ cooperation with Nevada Office.
<a href="#">NRS 397.050</a>	Western Regional Higher Education Compact Account: Creation; uses of money in Account. [Repealed.]
<a href="#">NRS 397.055</a>	Contract with institution or state outside region.
<a href="#">NRS 397.0557</a>	Nevada Office of the Western Interstate Commission for Higher Education authorized to apply for and accept grants, gifts and donations.
<a href="#">NRS 397.060</a>	Choice of applicants; reciprocity agreements authorizing out-of-state institutions to provide distance education to residents of Nevada.
<a href="#">NRS 397.0615</a>	Stipend to be provided to participant.
<a href="#">NRS 397.0617</a>	Condition to receipt of support fee: Requirement that certain participants practice profession in health professional shortage area, medically underserved area or to benefit medically underserved population; waiver of stipend for compliance with condition; assessment of default charge or conversion of stipend to loan for noncompliance. [Repealed.]
<a href="#">NRS 397.062</a>	Nevada Office of the Western Interstate Commission for Higher Education’s Account.
<a href="#">NRS 397.063</a>	Nevada Office of the Western Interstate Commission for Higher Education’s Loan and Stipend Fund; use of money in Fund.
<a href="#">NRS 397.064</a>	Required terms of stipends converted to loans; regulations.
<a href="#">NRS 397.0645</a>	Period that participant must practice profession in Nevada to avoid repayment of stipend; conversion of stipend to loan; decrease in amount owed for partial completion of period of required practice.
<a href="#">NRS 397.065</a>	Repayment of state’s contributions for stipends by participant who received stipend before July 1, 1995. [Repealed.]
<a href="#">NRS 397.0653</a>	Repayment of stipends received on or after July 1, 1995; exceptions. [Repealed.]
<a href="#">NRS 397.0655</a>	Delegation of negotiation of terms of repayment. [Repealed.]
<a href="#">NRS 397.066</a>	Insurance as security for stipend or loan; joint liability on stipend or loan. [Repealed.]
<a href="#">NRS 397.067</a>	Conditions under which immediate repayment of loan may be required. [Repealed.]
<a href="#">NRS 397.068</a>	Penalties for failure to comply with regulations.
<a href="#">NRS 397.0685</a>	Reduction of period of required practice; regulations.
<a href="#">NRS 397.069</a>	Exemption or extension of period for participant to complete required practice; regulations.
<a href="#">NRS 397.0695</a>	Credit on loan for professional services provided without compensation.
<a href="#">NRS 397.070</a>	Accounts, biennial reports and recommendations.
<a href="#">NRS 397.080</a>	Signing Compact.

**NRS 397.001 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 397.002](#) to [397.005](#), inclusive, have the meanings ascribed to them in those sections. (Added to NRS by [2021, 2606](#))

**NRS 397.002 “Compact” defined.** “Compact” means the Western Regional Education Compact set forth in [NRS 397.020](#). (Added to NRS by [2021, 2606](#))

**NRS 397.003 “Nevada Office” defined.** “Nevada Office” means the Nevada Office of the Western Interstate Commission for Higher Education created by [NRS 397.030](#). (Added to NRS by [2021, 2606](#))

**NRS 397.004 “Participant” defined.** “Participant” means a person who receives a stipend from the Western Interstate Commission for Higher Education to participate in a program administered by the Nevada

Office or the office of the Western Interstate Commission for Higher Education established pursuant to Article 7 of the Compact.

(Added to NRS by [2021, 2606](#))

**NRS 397.005 “State” defined.** “State” means a state, territory or possession of the United States, the District of Columbia and the U.S. Pacific Territories and Freely Associated States.

(Added to NRS by [2015, 1502](#); A [2021, 2606](#))

**NRS 397.010 Execution of compact authorized; notice of intention to withdraw.**

1. The Governor is hereby authorized and directed to execute a compact on behalf of this state with each or all of the 16 members of the Western Interstate Commission for Higher Education for the purpose of cooperating with such states in the formation of a Western Interstate Commission for Higher Education.

2. Notice of intention to withdraw from such Compact shall be executed and transmitted by the Governor.

(Added to NRS by [1959, 74](#); A [1969, 61](#); [2021, 2606](#))

**NRS 397.020 Form and contents.** The form and contents of such compact shall be substantially as provided in this section and the effect of its provisions shall be interpreted and administered in conformity with the provisions of this chapter:

### **Western Regional Education Compact**

The contracting states do hereby agree as follows:

#### **ARTICLE 1**

WHEREAS, The future of this Nation and of the Western States is dependent upon the quality of the education of its youth; and

WHEREAS, Many of the Western States individually do not have sufficient numbers of potential students to warrant the establishment and maintenance within their borders of adequate facilities in all of the essential fields of technical, professional, and graduate training, nor do all the states have the financial ability to furnish within their borders institutions capable of providing acceptable standards of training in all of the fields mentioned above; and

WHEREAS, It is believed that the Western States, or groups of such states within the region, cooperatively can provide acceptable and efficient educational facilities to meet the needs of the region and of the students thereof;

Now, therefore, the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming and the U.S. Pacific Territories and Freely Associated States do hereby covenant and agree as follows:

#### **ARTICLE 2**

Each of the compacting states pledges to each of the other compacting states faithful cooperation in carrying out all the purposes of this compact.

#### **ARTICLE 3**

The compacting states hereby create the Western Interstate Commission for Higher Education, hereinafter called the commission. Said commission shall be a body corporate of each compacting state and an agency thereof. The commission shall have all the powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states.

#### **ARTICLE 4**

The commission shall consist of three resident members from each compacting state. At all times one commissioner from each compacting state shall be an educator engaged in the field of higher education in the state from which the commissioner is appointed.

The commissioners from each state shall be appointed by the governor thereof as provided by law in such state. Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner shall have been appointed.

The terms of each commissioner shall be four years; provided, however, that the first three commissioners shall be appointed as follows: one for two years, one for three years, and one for four years. Each commissioner shall hold office until his or her successor shall be appointed and qualified. If any office becomes vacant for any reason, the governor shall appoint a commissioner to fill the office for the remainder of the unexpired term.

## ARTICLE 5

Any business transacted at any meeting of the commission must be by affirmative vote of a majority of the whole number of compacting states.

One or more commissioners from a majority of the compacting states shall constitute a quorum for the transaction of business.

Each compacting state represented at any meeting of the commission is entitled to one vote.

## ARTICLE 6

The commission shall elect from its number a chair and a vice chair, and may appoint, and at its pleasure dismiss or remove, such officers, agents, and employees as may be required to carry out the purpose of this compact; and shall fix and determine their duties, qualifications and compensation, having due regard for the importance of the responsibilities involved.

The commissioners shall serve without compensation, but shall be reimbursed for their actual and necessary expenses from the funds of the commission.

## ARTICLE 7

The commission shall adopt a seal and bylaws and shall adopt and promulgate rules and regulations for its management and control.

The commission may elect such committees as it deems necessary for the carrying out of its functions.

The commission shall establish and maintain an office within one of the compacting states for the transaction of its business and may meet at any time, but in any event must meet at least once a year. The chair may call such additional meetings and upon the request of a majority of the commissioners of three or more compacting states shall call additional meetings.

The commission shall submit a budget to the governor of each compacting state at such time and for such period as may be required.

The commission shall, after negotiations with interested institutions, determine the cost of providing the facilities for graduate and professional education for use in its contractual agreements throughout the region.

On or before the fifteenth day of January of each year, the commission shall submit to the governors and legislatures of the compacting states a report of its activities for the preceding calendar year.

The commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by the governor of any compacting state or the designated representative of the governor. The commission shall not be subject to the audit and accounting procedure of any of the compacting states. The commission shall provide for an independent annual audit.

## ARTICLE 8

It shall be the duty of the commission to enter into such contractual agreements with any institutions in the region offering graduate or professional education and with any of the compacting states as may be required in the judgment of the commission to provide adequate services and facilities of graduate and professional education for the citizens of the respective compacting states. The commission shall first endeavor to provide adequate services and facilities in the fields of dentistry, medicine, public health, and veterinary medicine, and may undertake similar activities in other professional and graduate fields.

For this purpose the commission may enter into contractual agreements:

(a) With the governing authority of any educational institution in the region, or with any compacting state, to provide such graduate or professional educational services upon terms and conditions to be agreed upon between contracting parties, and

(b) With the governing authority of any educational institution in the region or with any compacting state to assist in the placement of graduate or professional students in educational institutions in the region providing the desired services and facilities, upon such terms and conditions as the commission may prescribe.

It shall be the duty of the commission to undertake studies of needs for professional and graduate educational facilities in the region, the resources for meeting such needs, and the long-range effects of the compact on higher education; and from time to time to prepare comprehensive reports on such research for presentation to the Western Governors' Conference and to the legislatures of the compacting states. In conducting such studies, the commission may confer with any national or regional planning body which may be established. The commission shall draft and recommend to the governors of the various compacting states, uniform legislation dealing with problems of higher education in the region.

For the purposes of this compact the word "region" shall be construed to mean the geographical limits of the several compacting states.

## ARTICLE 9

The operating costs of the commission shall be apportioned equally among the compacting states.

#### ARTICLE 10

This compact shall become operative and binding immediately as to those states adopting it whenever five or more of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Alaska, and Hawaii have duly adopted it prior to July 1, 1953. This compact shall become effective as to any additional states or territory adopting thereafter at the time of such adoption.

#### ARTICLE 11

This compact may be terminated at any time by consent of a majority of the compacting states. Consent shall be manifested by passage and signature in the usual manner of legislation expressing such consent by the legislature and governor of such terminating state. Any state may at any time withdraw from this compact by means of appropriate legislation to that end. Such withdrawal shall not become effective until two years after written notice thereof by the governor of the withdrawing state accompanied by a certified copy of the requisite legislative action is received by the commission. Such withdrawal shall not relieve the withdrawing state from its obligations hereunder accruing prior to the effective date of withdrawal. The withdrawing state may rescind its action of withdrawal at any time within the two-year period. Thereafter, the withdrawing state may be reinstated by application to and the approval by a majority vote of the commission.

#### ARTICLE 12

If any compacting state shall at any time default in the performance of any of its obligations assumed or imposed in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder, shall be suspended from the effective date of such default as fixed by the commission.

Unless such default shall be remedied within a period of two years following the effective date of such default, this compact may be terminated with respect to such defaulting state by affirmative vote of three-fourths of the other member states.

Any such defaulting state may be reinstated by: (a) performing all acts and obligations upon which it has heretofore defaulted, and (b) application to and the approval by a majority vote of the commission.

(Added to NRS by [1959, 74](#); A [1969, 61](#); [2015, 1502](#); [2021, 2606](#))

#### **NRS 397.030 Number, qualifications, terms, removal and authority of Commissioners; creation of Nevada Office.**

1. In furtherance of the provisions contained in the Compact, there must be three Commissioners from the State of Nevada, appointed by the Governor to serve on the Western Interstate Commission for Higher Education created by the Compact and in the Nevada Office of the Western Interstate Commission for Higher Education, which is hereby created.

2. The qualifications and terms of the three Nevada State Commissioners must be in accordance with Article 4 of the Compact. A Nevada State Commissioner shall hold office until his or her successor is appointed and qualified, but the successor's term expires 4 years after the legal date of expiration of the term of his or her predecessor.

3. Any Nevada State Commissioner may be removed from office by the Governor upon charges and after a hearing.

4. The term of any Nevada State Commissioner who ceases to hold the required qualifications terminates when a successor is appointed.

5. The three Nevada State Commissioners, acting jointly, shall appoint a Director of the Nevada Office. The Director serves at the pleasure of the three Nevada State Commissioners.

6. Except as otherwise provided in subsection 7, the three Nevada State Commissioners, acting jointly, may:

(a) Adopt regulations as necessary to carry out the provisions of this chapter.

(b) At a meeting held in accordance with the provisions of [chapter 241](#) of NRS, delegate to an officer or employee of the Nevada Office the authority to undertake any actions authorized or required by the provisions of this chapter, including, without limitation, the authority to enter into an agreement that will be binding on the Nevada Office.

7. The three Nevada State Commissioners may not delegate the authority to enter into any agreement that will be binding on the Western Interstate Commission for Higher Education. Any agreement that will be binding on the Western Interstate Commission for Higher Education must be approved by that Commission.

(Added to NRS by [1959, 78](#); A [1981, 65](#); [1985, 419](#); [2003, 938](#); [2015, 1506](#), [2121](#); [2021, 2610](#), [2740](#))

#### **NRS 397.040 Authority of state officers; declaration of state policy; state agencies' cooperation with Nevada Office.**

1. All officers of the State are hereby authorized and directed to do all things falling within their respective provinces and jurisdiction necessary or incidental to the carrying out of the Compact in every particular, it being hereby declared to be the policy of this state to perform and carry out the Compact and to accomplish the purposes thereof.

2. All officers, bureaus, departments and persons of and in the State Government or administration of the State are hereby authorized and directed at convenient times and upon request of the Nevada Office to furnish the Nevada Office with information and data possessed by them and to aid the Nevada Office by any means lying within their legal rights.

(Added to NRS by [1959, 78](#); A [2021, 2610](#))

**NRS 397.050 Western Regional Higher Education Compact Account: Creation; uses of money in Account.** Repealed. (See chapter 407, [Statutes of Nevada 2021, at page 2618.](#))

**NRS 397.055 Contract with institution or state outside region.**

1. Whenever the three Nevada State Commissioners are unable to enroll Nevada residents in graduate or professional schools pursuant to contractual agreements authorized by Article 8 of the Compact, or the cost of attending a school within the region is excessive, they may enter into contractual agreements with the governing authority of any educational institution offering accredited graduate and professional education outside the region of the Compact or with any state outside the region.

2. The terms and conditions of any such agreements must adhere to the same standards which are observed in the selection of participants.

(Added to NRS by [1975, 330](#); A [1981, 1017](#); [2003, 939](#); [2021, 2611](#))

**NRS 397.0557 Nevada Office of the Western Interstate Commission for Higher Education authorized to apply for and accept grants, gifts and donations.** The Nevada Office may apply for and accept any grant, gift or donation.

(Added to NRS by [1995, 357](#); A [2015, 1506](#); [2021, 2611](#))

**NRS 397.060 Choice of applicants; reciprocity agreements authorizing out-of-state institutions to provide distance education to residents of Nevada.** The three Nevada State Commissioners, acting jointly:

1. Shall:

(a) Choose from among Nevada residents who apply for a program administered by the Nevada Office, and have at least 1 year's residence in this state immediately before applying for the program, those most qualified to participate in a program administered by the Nevada Office.

(b) Compile a list of Nevada applicants for programs administered by the office of the Western Interstate Commission for Higher Education established pursuant to Article 7 of the Compact and transmit the list to that office.

2. May enter into any reciprocity agreement, including, without limitation, the State Authorization Reciprocity Agreement as implemented by the Western Interstate Commission for Higher Education, for the purpose of authorizing a postsecondary educational institution that is located in another state or territory of the United States to provide distance education to residents of this State if the requirements contained in the agreement for authorizing a postsecondary educational institution that is located in another state or territory of the United States to provide distance education to residents of this State are substantially similar to the requirements for licensure of a postsecondary educational institution by the Commission on Postsecondary Education pursuant to [NRS 394.383](#) to [394.560](#), inclusive. As used in this subsection, "postsecondary educational institution" has the meaning ascribed to it in [NRS 394.099](#).

(Added to NRS by [1959, 79](#); A [1960, 375](#); [1967, 1055](#); [1981, 1036](#); [1983, 1345](#); [1985, 849](#); [2003, 939](#); [2013, 1671](#); [2015, 1506](#); [2021, 2611](#))

**NRS 397.0615 Stipend to be provided to participant.** Financial support provided to a participant must be provided in the form of a stipend that the participant is not required to repay, except as otherwise provided in [NRS 397.0645](#).

(Added to NRS by [1995, 355](#); A [1997, 946](#); [2003, 939](#); [2015, 1507](#); [2021, 2612](#))

**NRS 397.0617 Condition to receipt of support fee: Requirement that certain participants practice profession in health professional shortage area, medically underserved area or to benefit medically underserved population; waiver of stipend for compliance with condition; assessment of default charge or conversion of stipend to loan for noncompliance.** Repealed. (See chapter 407, [Statutes of Nevada 2021, at page 2618.](#))

**NRS 397.062 Nevada Office of the Western Interstate Commission for Higher Education's Account.**

1. There is hereby created an account in the State General Fund entitled the Nevada Office of the Western Interstate Commission for Higher Education's Account. Any money received by the three Nevada State Commissioners as the proceeds of any penalty, appropriated or authorized from the State General Fund for the

purposes of carrying out the provisions of this chapter or pursuant to [NRS 397.0557](#) must be deposited in this Account.

2. The three Nevada State Commissioners, acting jointly, shall administer the Account and the money in the Account may be used to:

- (a) Pay miscellaneous expenses incurred in administering the Nevada Office of the Western Interstate Commission for Higher Education's Loan and Stipend Fund;
  - (b) Pay expenses incurred in collecting money due the State from a loan made pursuant to [NRS 397.064](#);
  - (c) Pay dues to the Western Interstate Commission for Higher Education; and
  - (d) Pay administrative expenses of the Nevada Office.
- (Added to NRS by [1985, 848](#); A [2003, 940](#); [2015, 1508](#); [2021, 2612](#))

**NRS 397.063 Nevada Office of the Western Interstate Commission for Higher Education's Loan and Stipend Fund; use of money in Fund.**

1. All money received as payment for a loan made pursuant to [NRS 397.064](#) must be accounted for in the Nevada Office of the Western Interstate Commission for Higher Education's Loan and Stipend Fund which is hereby created as an enterprise fund.

2. The three Nevada State Commissioners, acting jointly, shall administer the Fund, and the money in the Fund must be used solely to provide stipends to participants.

(Added to NRS by [1977, 428](#); A [1983, 312](#); [1985, 849](#); [1997, 125](#); [2001, 2753](#); [2003, 940](#); [2015, 1508](#); [2021, 2613](#))

**NRS 397.064 Required terms of stipends converted to loans; regulations.**

1. If a stipend received from the Nevada Office of the Western Interstate Commission for Higher Education's Loan and Stipend Fund is converted into a loan pursuant to [NRS 397.0645](#), the loan must be made upon the following terms:

(a) All loans must bear a competitive interest rate, which must be established by the three Nevada State Commissioners, acting jointly.

(b) A delinquency charge may be assessed on any installment delinquent 10 days or more in an amount that must be established by the three Nevada State Commissioners, acting jointly.

(c) The reasonable costs of collection and attorney's fees may be recovered in the event of delinquency.

2. The three Nevada State Commissioners, acting jointly, shall adopt regulations governing the repayment of loans, including, without limitation, the period allowed for the repayment and the minimum amount of money that may be repaid in an installment.

(Added to NRS by [1985, 846](#); A [1995, 357](#); [1997, 947](#); [2003, 941](#); [2007, 610](#); [2015, 1509](#); [2021, 2613](#))

**NRS 397.0645 Period that participant must practice profession in Nevada to avoid repayment of stipend; conversion of stipend to loan; decrease in amount owed for partial completion of period of required practice.**

1. A participant must repay the stipend received by the participant unless the participant:

(a) Graduates with a degree, certificate or similar credential in the area for which the participant received the stipend.

(b) Except as otherwise provided in [NRS 397.0685](#), practices, in Nevada, the profession for which the degree, certificate or similar credential was awarded for 1 year for each year the participant receives a stipend.

(c) Except as otherwise provided in [NRS 397.069](#):

(1) Commences the participant's practice obligation within 1 year after the completion or termination of the education, internship or residency for which the participant received the stipend.

(2) Completes the participant's practice obligation within 5 years after the completion or termination of the education, internship or residency for which the participant received the stipend.

(d) Reports the participant's practice status annually to the Nevada Office on forms provided by the Nevada Office.

(e) Maintains the participant's permanent residence in the State of Nevada throughout the period of the participant's practice obligation. For purposes of this paragraph:

(1) Merely owning a residence in this State does not satisfy the requirement that a participant must maintain a permanent residence in this State.

(2) A participant who leaves the State for a limited period of time without forming the intent of changing the participant's permanent residence is not considered to have moved the participant's residence.

(f) If the participant received the stipend to participate in a program administered by the Nevada Office, completes the practice required by paragraph (b) of subsection 1 in a health professional shortage area or an area with a medically underserved population in this State.

2. Except as otherwise provided in subsection 3, if a participant does not meet the requirements prescribed in subsection 1, the three Nevada State Commissioners, acting jointly:

(a) Shall convert the stipend into a loan to be repaid in accordance with [NRS 397.064](#) from the first day of the term for which the participant received the stipend.

(b) Shall assess a default charge against the participant if the participant received the stipend to participate in a program administered by the Nevada Office.

(c) May assess a default charge against the participant if the participant received the stipend to participate in a program administered by the office of the Western Interstate Commission for Higher Education established pursuant to Article 7 of the Compact.

3. If the period for the required practice is only partially completed, the three Nevada State Commissioners, acting jointly, may decrease the amount owed under the loan for the time the participant practiced his or her profession as required.

4. As used in this section:

(a) "Area with a medically underserved population" means an area:

(1) Designated as such by the United States Secretary of Health and Human Services pursuant to 42 U.S.C. § 254c; and

(2) Which meets any additional requirements prescribed by the Nevada Department of Health and Human Services.

(b) "Health professional shortage area" means a geographic area:

(1) Designated as such by the United States Secretary of Health and Human Services pursuant to 42 U.S.C. § 254e; and

(2) Which meets any additional requirements prescribed by the Nevada Department of Health and Human Services.

(Added to NRS by [1995, 356](#); A [2003, 941](#); [2015, 1510](#); [2021, 2614](#))

**NRS 397.065 Repayment of state's contributions for stipends by participant who received stipend before July 1, 1995.** Repealed. (See chapter 407, [Statutes of Nevada 2021, at page 2618.](#))

**NRS 397.0653 Repayment of stipends received on or after July 1, 1995; exceptions.** Repealed. (See chapter 407, [Statutes of Nevada 2021, at page 2618.](#))

**NRS 397.0655 Delegation of negotiation of terms of repayment.** Repealed. (See chapter 407, [Statutes of Nevada 2021, at page 2618.](#))

**NRS 397.066 Insurance as security for stipend or loan; joint liability on stipend or loan.** Repealed. (See chapter 407, [Statutes of Nevada 2021, at page 2618.](#))

**NRS 397.067 Conditions under which immediate repayment of loan may be required.** Repealed. (See chapter 407, [Statutes of Nevada 2021, at page 2618.](#))

**NRS 397.068 Penalties for failure to comply with regulations.** A participant shall comply with any requirements prescribed by regulations adopted by the three Nevada State Commissioners. If the participant fails to comply, the three Nevada State Commissioners, acting jointly, may:

1. For each infraction, impose a fine of not more than \$200 against any participant in any academic or practicing year, and may deny additional money to any participant who fails to pay the fine when due; and

2. Expel the participant from the program for which the participant received the stipend.

(Added to NRS by [1985, 847](#); A [2003, 942](#); [2015, 1512](#); [2021, 2616](#))

**NRS 397.0685 Reduction of period of required practice; regulations.**

1. A participant may petition the three Nevada State Commissioners for a reduction of the period of required practice prescribed by paragraph (b) of subsection 1 of [NRS 397.0645](#).

2. The three Nevada State Commissioners, acting jointly, may, after receiving a written petition stating the reasons therefor, reduce the period of required practice in accordance with the regulations adopted pursuant to subsection 3.

3. The three Nevada State Commissioners, acting jointly, shall adopt regulations to carry out the provisions of this section.

(Added to NRS by [1985, 848](#); A [1995, 359](#); [2003, 943](#); [2015, 1512](#); [2021, 2616](#))

**NRS 397.069 Exemption or extension of period for participant to complete required practice; regulations.**

1. A participant may petition the three Nevada State Commissioners for:

(a) An exemption from the requirement prescribed by subparagraph (1) of paragraph (c) of subsection 1 of [NRS 397.0645](#).

(b) An extension of the period for completing the required practice prescribed by subparagraph (2) of paragraph (c) of subsection 1 of [NRS 397.0645](#).

2. The three Nevada State Commissioners, acting jointly, may after receiving a written petition stating the reasons therefor, grant an exemption to the requirement prescribed by subparagraph (1) of paragraph (c) of subsection 1 of [NRS 397.0645](#) or an extension of the period for completing the required practice prescribed by

subparagraph (2) of paragraph (c) of subsection 1 of [NRS 397.0645](#) in accordance with the regulations adopted pursuant to subsection 3.

3. The three Nevada State Commissioners, acting jointly, shall adopt regulations to carry out the provisions of this section.

(Added to NRS by [1985, 848](#); A [2003, 943](#); [2021, 2616](#))

**NRS 397.0695 Credit on loan for professional services provided without compensation.** A participant obligated to repay a stipend that is converted to a loan pursuant to [NRS 397.0645](#) may, as determined by the three Nevada State Commissioners, acting jointly, receive credit towards payment of the loan for professional services provided without compensation to the State or any of its political subdivisions.

(Added to NRS by [1985, 848](#); A [2003, 943](#); [2015, 1513](#); [2021, 2617](#))

**NRS 397.070 Accounts, biennial reports and recommendations.** The three Nevada State Commissioners, acting jointly, shall:

1. Keep accurate accounts of their activities and the activities of the Nevada Office.
2. Report to the Governor and the Legislature before September 1 of any year preceding a regular session of the Legislature, setting forth in detail the transactions conducted by the Commissioners and the Nevada Office during the biennium ending June 30 of such year.
3. Make recommendations for any legislative action deemed by the Commissioners to be advisable, including amendments to the statutes which may be necessary to carry out the intent and purposes of the Compact between the signatory states.

(Added to NRS by [1959, 79](#); A [1969, 1457](#); [2021, 2617](#))

**NRS 397.080 Signing Compact.** When the Governor, on behalf of the states, executes the Compact, the Governor shall attach his or her signature thereto under a recital that such Compact is executed pursuant to the provisions of this chapter, subject to the limitations and qualifications contained in this chapter, in aid and furtherance thereof.

(Added to NRS by [1959, 79](#))