

**Nevada Office of the Western Interstate Commission for Higher Education  
(Nevada WICHE Commission)**

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

Friday, July 7, 2023, 2:00 pm

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

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.

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 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/>.

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.

**BOARD**

**ROLL CALL:**

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

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.

**2. MINUTES**

**FOR POSSIBLE ACTION**

The Commission will consider approval of the minutes from the March 17, 2023, meeting.

(Ref. 2-WICHE Commission Meeting Minutes, March 17, 2023)

*ESTIMATED TIME: 5 minutes*

**3. UPDATE ON PASSAGE OF NEVADA SENATE BILL (SB) 342, PROVISION FOR VETERINARY MEDICINE IN 2023 NEVADA LEGISLATIVE SESSION**

**INFORMATION ONLY**

Nevada Office of WICHE Director Patty Porter and NSHE Deputy General Counsel Carrie Parker will provide the Commissioners with an overview of SB342 which makes a provision of \$8 million dollars one shot appropriation for Nevada Office of WICHE to contract with Utah State University Veterinary Medical School to provide stipends for cost of out of state tuition for 70 Nevada residents from July 1, 2024, to June 30, 2034, to earn a doctorate degree in veterinary medicine. Appropriation for 2023-2025 also includes funding for a Program Officer I position to support implementation of program for the Nevada Office of WICHE.

(Ref. 3 – Nevada SB 342 Enrolled)

(Ref. 4 – Nevada Revised Statute Chapter 397)

Possible Guest Speakers: Nevada State Senator Pete Goicoechea, Utah State University administrators, University of Nevada, Reno administrators, faculty, and staff.

*ESTIMATED TIME: 35 minutes*

**4. DELEGATION TO NEGOTIATE CONTRACT WITH**

**FOR POSSIBLE ACTION**

**UTAH STATE UNIVERSITY**

Delegate to the Director of the Nevada Office of WICHE and NSHE Deputy General Counsel the responsibility of negotiating a contract with Utah State University to enact SB342.

*ESTIMATED TIME: 10 minutes*

**5. CONTRACT TERMS TO NEGOTIATE WITH FOR POSSIBLE ACTION  
UTAH STATE UNIVERSITY**

Direct the Director of the Nevada Office of WICHE and NSHE Deputy General Counsel to negotiate the contract with Utah State University based on any or all of the following recommended terms and any additional brought up under this agenda item.

Recommended items to request from Utah State University in the contract:

- 1) Provide designated staff member for Nevada resident applicants and continuing student questions. Utah State University staff member would also act as a liaison to the Nevada Office of WICHE.
- 2) Annual recruitment and retention plan for Nevada residents.
- 3) Biannual reporting regarding out of state difference covered by funds provided by Nevada for Nevada program participants with remaining unused balance.
- 4) Unused stipend balance has the flexibility to roll to another Nevada resident who has been admitted to Utah State University Veterinary School.
- 5) Biannual reporting of Nevada program participants academic standing and program progress.
- 6) Support Nevada graduates will receive in seeking licensure and employment in Nevada. If the program has not received full accreditation by end of first graduating class, what will the Utah State University do for Nevada graduates.
- 7) Annual reporting of program accreditation status and updates to Nevada WICHE Commission and Nevada Office of WICHE.
- 8) The stipend grant amount will be adjusted to reflect any changes in out of state tuition rate for Nevada residents or provide a locked in tuition rate for the duration of the agreement.

*ESTIMATED TIME: 35 minutes*

**6. NEW BUSINESS INFORMATION ONLY**

Items for consideration at future meetings may be suggested. Any discussion of an item under “New Business” is limited to description and clarification of the subject matter of the item, which may include the reasons for the request, and no substantive discussion may occur at this meeting on new business items in accordance with the Nevada Open Meeting Law (NRS 241.010 *et seq.*).

**7. 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.

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This agenda 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>

**Nevada Office of the Western Interstate Commission for Higher Education  
(Nevada WICHE Commission) Minutes**

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

This meeting was conducted by the use of a remote technology system pursuant to Nevada Revised Statutes 241.020(11). Members of the Nevada Office of the Western Interstate Commission for Higher Education (Nevada WICHE Commission) and/or the public could utilize the remote technology system to attend and participate in the meeting, including to provide public comment.

Friday, March 17, 2023, 3:30 pm

**Members Present:** Mr. Fred Lokken, Executive Commissioner  
Ms. Cathy Dinauer, Commissioner  
Mr. Dale Erquiaga, Commissioner

**Others Present:** Ms. Patty Porter, Director, Nevada Office of WICHE  
Ms. Carrie Parker, Deputy General Counsel, NSHE  
Ms. Renée Davis, Interim Vice Chancellor, NSHE Department of Academic and Student Affairs and Community Colleges  
Ms. Donna Healy, Executive Assistant, NSHE Department of Academic and Student Affairs and Community Colleges

Executive Commissioner Fred Lokken called the meeting to order at 3:30 pm.

**1. Information Only – Public Comment**

There was no public comment.

**2. Approved – Minutes**

The Nevada WICHE Commission approved the minutes from its February 6, 2023 meeting. (*Ref. 2-WICHE Commission Meeting Minutes, February 6, 2023*)

Commissioner Erquiaga moved approval of the February 6, 2023 meeting minutes. Commissioner Dinauer seconded. Motion carried unanimously.

**3. Commissioner Updates**

- Commissioner Dinauer noted that she is prepared and registered for upcoming regional WICHE Commission meeting in Phoenix.
- Executive Commissioner Lokken shared that he has reached out to Senator Pete Goicoechea, Nevada State Senator, regarding SB342; there may be some problematic areas that may need to be addressed in a creative way.
- Executive Commissioner Lokken stated that Jane Nichols will be attending the upcoming meeting in Phoenix; all past WICHE chairs will be recognized at that meeting which will have an 70<sup>th</sup> Anniversary event Monday night of the meeting.

#### 4. **Director Update**

Director Patty Porter shared the following updates:

##### **NV WICHE Loan and Stipend Budget Hearing on February 21, 2023 at the Nevada Legislature**

- a. Regional WICHE President and CEO Demarée Michelau and Executive Commission Lokken were in attendance. President and CEO Demarée Michelau was recognized by Commissioner Erquiaga.
- b. Director Porter presented the Nevada WICHE 2023-2025 budget before the Assembly Committee on Ways and Means and Senate Committee on Finance. Commissioner Erquiaga and Director Porter responded to questions primarily related to outreach and justification of reinstating the PSEP Veterinary Medicine slots. Director Porter thanked Commissioner Erquiaga for assisting with the presentation.
- c. The Nevada WICHE Administration Budget will be discussed in another hearing which is presented by LCB and Director Porter will be present in case there are questions in April 2023.
- d. Director Porter thanked the Commissioners for their support as well as Andrew Clinger, CEO, NSHE, Renée Davis, Interim Vice Chancellor of Academic Student Affairs and Community Colleges, and the NSHE Finance/Accounting and Academic and Student Affairs (ASA) teams.

#### **Discussion:**

- Executive Commissioner Lokken echoed the appreciation for NSHE staff expressed by Director Porter and noted that the entire WICHE budget has been shifted to NSHE.

#### **Update on Stipends Dispersed in 2022-23**

- a. Professional Student Exchange Program (PSEP): \$673,079 or 36 continuing participant stipends. Remaining 2022-2023 slots to fill for new PSEP participants are two Physician Assistant slots and one Occupational Therapy slot (\$54,025). Director Porter is working with regional WICHE to reach out to PSEP schools and is preparing the PSEP application.
- b. Health Professional Education Program (HPEP): \$194,400 was spent for six continuing and 19 new stipends. Remaining 2022-2023 slots to fill for HPEP participants include one Advanced Practice Nursing and one Gerontology Nurse Practitioner (\$12,700). Contract signing is in process.
- c. Psychological Internship Consortium Program: \$112,500 has been transferred to DPBH.
- d. Loan and Stipend balance: \$64,125.52. The total amount needed to fill remaining 2022-2023 PSEP and HPEP participant slots is \$66,725. Anticipate additional loan repayment revenue will come in to cover the new remaining slots that total \$66,725 and then Nevada WICHE will meet its slot targets for FY23. Any unspent loan repayment revenue received prior to May 15 reverts back to the state and any collected after May 15 to the end of June we get to keep for FY24.

#### **Update on Participant Practice Obligation: When it Begins**

- a. NRS 397.0645 section 1(c) states “Except as provided in NRS 397.069: (1) Commences the participant’s practice obligation with 1 year after the completion or termination of the education, internship or residency for which the participant received the stipend.”
- b. Thus, if the participant completes their education and then undergoes an internship or residency, their separation date in ECSI Loan Servicer, where our office tracks their stipends, will note the extension if documentation is provided.
- c. Director Porter noted that she is currently working with a Veterinary Medicine participant who completed their education last year and is completing their internship this year. The participant has one year from completion of their internship to start their required practice. Other program field that is increasing use of residencies is Pharmacy which is offered for those who are interested in working as a Pharmacist in a hospital.

### **Update on Possible Bill Draft for the 2023 Nevada Legislature**

- a. It is an \$8,000,000 one-shot appropriation for Nevada Office of WICHE to contract with Utah State University Veterinary Medical School, with the first class starting in fall 2025, for the implementation of a program to provide stipends for the cost of out-of-state tuition for 70 Nevada residents from July 1, 2024, to June 30, 2034, to earn a doctorate degree in veterinary medicine.
- b. Pursuant to NRS 397.060, three commissioners acting jointly, which has delegated (NRS 397.030 section 6b) the selection of the participants to the director, will be with consultation with at least two licensed veterinarians.
- c. This program, which falls under HPEP, would be administered per chapter 397 of NRS.
- d. Any remaining balance of the appropriation must not be committed for expenditure after June 30, 2025, and remaining funds must be reverted on or before September 19, 2025.

### **Discussion:**

- Commissioner Dinauer asked if other places would be able to tap into this funding?
    - Director Porter stated that the \$8M is to offset out-of-state tuition (not the full tuition); students would not be getting in-state residency.
  - Executive Commissioner Lokken noted the \$8M one-time stipend raises some issues to work out. Since Nevada WICHE funding is on a two-year cycle we make multi-year commitments with our students based on assumption our legislature will fund these commitments just in time. This notion is that we do not keep the money and that we would need to strike a contract with Utah State University and send them a lump sum that would administer this partnership through 2034.
    - Understand one shot appropriation but from an accountability and transparency point of view, it would be preferred to have this operate like the rest of our programs with recurring or renewals of our funding cycles every two years.
    - What would happen if we cannot identify ten Nevada residents every year especially for a non-accredited program? Do not want to see the money lost with no designation or understanding. Would like to see if there is flexibility to extend the period. There should be something there that addresses that problem.
    - Another potential problem is if a student goes into the program but does not complete it; there could still be unspent tuition. Many veterinarian students quit their program and change to medical students. Can assume that some of this will happen here which means that we will have unspent tuition.
    - If we go with the one-shot program, then we need a contract that contains a mechanism to account for all the Nevada funding.
  - Commissioner Erquiaga noted that the proposal makes sense and he agrees with everything that has been discussed.
  - Executive Commissioner Lokken stated that Director Porter's work has been phenomenal, and her extra work has been much appreciated.
5. **Request to Revise and Approve Amendment to Memorandum of Understanding (MOU) between Nevada WICHE Commission and Nevada System of Higher Education**  
Deputy General Counsel Carrie Parker provided the Commission members with information regarding a request to revise the Memorandum of Understanding (MOU).

## **Background Information**

- SB446 (from the 2021 legislative session) was called a budget implementation bill; it repealed a provision in the NRS 223.085 that had authorized the Governor to provide staff for WICHE and NRS 223.700, which had placed WICHE within the Governor’s budget.
- On April 26, 2021, the Nevada Legislative Counsel Bureau (LCB) Budget Closing Action Report listed as a major closing issue the “Transfer of WICHE Program to the Nevada System of Higher Education” (account 101-2995).
  - The overview section described the transfer of the program to include both of WICHE’s accounts: (1) the WICHE administrative budget, which is funded entirely from State General Fund appropriations, and (2) the costs for administering the WICHE program, including the WICHE Loan and Stipends budget.
  - General Fund savings would total \$85,854 over the 2021-23 biennium.
  - The support services (previously provided by Administrative Services Division, Agency IT Services, and the Office of the Attorney General) would be absorbed by NSHE.
  - The “recommended transfer include[d] \$15,000 per fiscal year in General Fund appropriations paid to NSHE which, according to the agency, [was] representative of all costs associated with the organizational shift.”
- The April 26, 2021, Nevada LCB Budget Closing Action Report for the “NSHE- W.I.C.H.E. Loans & Stipends” (account 101-2681) describes the budget related to WICHE’s Professional Student Exchange Program (PSEP) and the Nevada-oriented Health Professional Education Program (HPEP).

## **Budget Closing Action Report Information:**

- While WICHE is an agency created by statute (NRS 397.030) and administered at the discretion of the Commissioners, it does not “operate as an administratively self-sufficient entity” because its small size would make that “impractical.”
- Despite the transfer of the program and budgets to NSHE, Nevada WICHE remains independent and “the Board of Regents would exercise no budgetary authority over WICHE [,] and the authority to appoint the WICHE Director would remain with the Commission.”
- This is consistent with NRS 397.062, NRS 397.063, and NRS 397.064, which create the accounts and mandate that the three Nevada State Commissioners administer the accounts and adopt regulations governing repayment of loans.

## **Memorandum of Understanding (MOU)**

- The MOU between Nevada WICHE and NSHE (Nov. 3, 2021) references the transfer of Nevada WICHE’s budget from the Office of the Governor to NSHE and the use of NSHE services, “including, without limitation, NSHE’s information technology, legal, accounting and administrative support services.” See support material.
  - The MOU also recognizes Nevada WICHE’s independence from NSHE pursuant to its statutory authority set forth in NRS Chapter 397. *Id.* at p. 2.
  - Nevada WICHE’s Director is an employee of NSHE, the Nevada WICHE office operates within NSHE with shared resources and is “fully integrated within NSHE for the purpose of supporting the program.” *Id.*
  - Among other services, NSHE provides ancillary services “including purchasing, legal services, and technology services.” *Id.* at p. 3.



- “Accounts receivable services will be provided by the NSHE through the NSHE Department of Budget and Finance.” *Id.*
- Regarding budgetary oversight, the “three Nevada State Commissioners, acting jointly, will retain sole budgetary authority over all expenditures in the program budget, which is used exclusively to fund stipends to students.”

## Issues

- Some questions arose regarding where the loan balance would reside, how to submit the financial statements, whether to use the State Purchasing process or the NSHE process for contract review, and whether the State Controller’s Office would be a resource for debt collection services.
- Because of the 2021 legislative changes to the budget moving Nevada WICHE’s budget accounts from the Governor’s Office budget to the NSHE budget, Nevada WICHE’s loan balance should reside in NSHE’s budget, but under the complete control of the WICHE Commissioners. Nevada WICHE’s accounts will not appear on NSHE’s financial statements. This has been discussed with NSHE CFO Andrew Clinger and his team.
- NSHE is to provide services to Nevada WICHE, including purchasing. Deputy General Counsel Parker recommended that Nevada WICHE follow the NSHE contract review process but with Nevada WICHE, and not the Board of Regents, as the contracting entity, pursuant to the powers in NRS Chapter 397.
- The Nevada WICHE commission, not the Board of Regents, will sign the contract.
- The MOU is accurate, but some revisions can be added for clarity.
- Reference 5 in support materials has some language to memorialize discussion and expand the definition of the Nevada WICHE staff; there may be funding to hire another staff member to assist Director Porter.
- Regarding the start of submitting a Nevada WICHE Financial Statement to the State Controller’s Office, this would start in FY23. Regarding FY22 there is a meeting with Nevada State Controller’s Office on Monday to discuss this.
- Commissioner Erquiaga noted that he would abstain from voting due to the need to execute the contract on behalf of NSHE.

Executive Commissioner Lokken called the question and moved approval to revise the Memorandum of Understanding (MOU) between Nevada WICHE Commission and the Nevada System of Higher Education (NSHE) as presented. Commissioner Dinauer seconded. Commissioner Erquiaga abstained. Motion carried unanimously.

## **6. Review of Regulations as Required by Executive Order 2023-003 Section 5D**

Director Patty Porter requested approval to submit a request for exemption to Executive Order 2023-003 per Section 5 (d) regulations that affect the application of powers, functions, and duties essential to the operation of the executive agenda, department, board, or commission at issue.

## Discussion

Executive Commissioner Lokken stated that his feeling is that this item is pro-forma and was recommended by the legislature. Director Porter asked if commissioners had any questions since the agency only has eight regulations currently and has additional draft regulations waiting at the Legislative Counsel Bureau.

Commissioner Dinauer moved approval for Director Patty Porter to submit a request for

exemption to Executive Order 2023-003 per Section 5 (d) regulations that affect the application of powers, functions, and duties essential to the operation of the executive agenda, department, board or commission at issue, as presented. Executive Commissioner Lokken seconded. Motion carried unanimously.

7. **Request to Accept Volunteer Hours in Nevada to Fulfill Practice Requirement**

Director Patty Porter requested approval to accept participants' documented volunteer hours to meet the required service obligation for receiving stipends. Participants must comply with this requirement after graduation and achieving their practice licenses; the volunteer hours completed fulfill the service requirement.

**Discussion**

Director Porter stated that there is a PSEP Veterinarian participant who is in between positions and asked if they could use volunteer hours at the Nevada Humane Society in the role of a veterinarian toward service requirement. Commissioner Dinauer thought this was a good idea. Executive Commissioner Lokken noted that due to commission being small and not as structured as a large commission it is necessary for Director Porter to have latitude and authority in acting on behalf of the commission regarding these types of situations. Executive Commissioner Lokken stated that decisions like this one fall within the duties and responsibilities of the director.

Commissioner Dinauer moved approval for Director Patty Porter to be able to accept participants' documented volunteer hours to meet the required service obligation for receiving stipends as presented. Commissioner Erquiaga seconded. Motion carried unanimously.

8. **New Business**

- There was no new business.

9. **Public Comment**

- There was no public comment.

Meeting adjourned at 4:11 pm

Prepared and submitted by:

Patty A. Porter

Director, Nevada Office of WICHE

Senate Bill No. 342—Senators Goicoechea, Titus, Seevers Gansert, Buck, Stone; Daly, Donate, Dondero Loop, Flores, Hammond, Hansen, Krasner and Pazina

CHAPTER.....

AN ACT relating to veterinary medicine; revising provisions relating to certain requirements for participants in a program administered by the Nevada Office of the Western Interstate Commission for Higher Education; requiring the Office to enter into certain contracts and implement certain programs relating to veterinary medicine; making appropriations; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the three Commissioners from the Nevada Office of the Western Interstate Commission for Higher Education to choose applicants who apply for a program administered by the Nevada Office which provides financial support to assist the applicants in attending colleges and universities located within the states and territories that are signatories to the Western Regional Education Compact. (NRS 397.020, 397.060) Existing law further requires a participant who receives a stipend from such a program to complete a practice obligation in a health professional shortage area or an area with a medically underserved population in this State. (NRS 397.0645) **Section 1** of this bill provides that this requirement does not apply to a participant who receives a stipend to participate in a program to earn a degree of doctor of veterinary medicine.

**Section 2** of this bill makes an appropriation from the State General Fund to the Interim Finance Committee for allocation to the Nevada Office to enter into a contract with Utah State University for a program to provide stipends for the out-of-state tuition of 70 residents of Nevada to earn a degree of doctor of veterinary medicine from the College of Veterinary Medicine at Utah State University.

**Section 3** of this bill makes an appropriation from the State General Fund to the Interim Finance Committee for allocation to the Nevada Office for the salary, benefits and operating costs of a Program Officer I position to assist the Nevada Office in carrying out the program to provide stipends.

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

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** NRS 397.0645 is hereby amended to read as follows:

397.0645 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 ~~to~~ *other than a program for veterinary medicine*, 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.

**Sec. 2.** 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee for allocation to the Nevada Office of the Western Interstate Commission for Higher Education the sum of \$8,000,000 for entering into a contract with Utah State University to carry out the program required pursuant to subsection 2.

2. The Nevada Office of the Western Interstate Commission for Higher Education shall enter into a contract with Utah State University to implement a program administered by the Nevada Office to provide stipends for the costs of the out-of-state portion of tuition for 70 residents of the State of Nevada to earn a degree of doctor of veterinary medicine from the College of Veterinary Medicine at Utah State University during the period commencing on July 1, 2024, and ending on June 30, 2034. The contract must require the Nevada Office, pursuant to NRS 397.060, and in consultation with at least 2 licensed veterinarians, as defined in NRS 638.007, to select from among Nevada residents who apply for the program described in this subsection and who have at least 1 year of residence in this State immediately before applying for the program, those who are most qualified to participate in the program.

3. Money appropriated by subsection 1 may only be allocated by the Interim Finance Committee upon submittal by the Nevada Office of the Western Interstate Commission for Higher Education of a signed contract between the Nevada Office and Utah State University to carry out the program required pursuant to subsection 2.

4. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30,



2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.

**Sec. 3.** 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee for allocation to the Nevada Office of the Western Interstate Commission for Higher Education for the salary, benefits and operating costs of a Program Officer I position to assist the Nevada Office in carrying out the program required pursuant to subsection 2 of section 2 of this act the following sums:

For the Fiscal Year 2023-2024 .....	\$79,719
For the Fiscal Year 2024-2025 .....	\$76,132

2. Money appropriated by subsection 1 may only be allocated by the Interim Finance Committee upon submittal by the Nevada Office of the Western Interstate Commission for Higher Education of a signed contract between the Nevada Office and Utah State University to carry out the program required pursuant to subsection 2 of section 2 of this act.

3. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, and September 19, 2025, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024, and September 19, 2025, respectively.

**Sec. 4.** 1. This section and sections 1 and 2 of this act become effective upon passage and approval.

2. Section 3 of this act becomes effective on July 1, 2023.



[NAC-397 Revised Date: 6-16]

## CHAPTER 397 - WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION

<a href="#">397.010</a>	“Commissioners” defined.
<a href="#">397.018</a>	“Residence” interpreted.
<a href="#">397.020</a>	Petition to reduce period of required practice.
<a href="#">397.030</a>	Petition for extension for completing required practice.
<a href="#">397.040</a>	Period to complete required practice in medically underserved area of State; petition for extension.
<a href="#">397.050</a>	Petition for extension for repayment of loan or stipend because of hardship.
<a href="#">397.060</a>	Petition for reduction of principal balance of loan or stipend because of hardship.
<a href="#">397.070</a>	Director authorized to negotiate terms of repayment of loan or stipend; collection of debt.

**NAC 397.010 “Commissioners” defined.** ([NRS 397.020](#), [397.040](#)) As used in this chapter, unless the context otherwise requires, “commissioners” means the three persons appointed to represent Nevada on the Western Interstate Commission for Higher Education, acting jointly.

(Added to NAC by Interstate Comm’n for Higher Education, eff. 8-22-84; A by R047-14, 12-22-2014)

**NAC 397.018 “Residence” interpreted.** ([NRS 397.020](#), [397.040](#)) For the purposes of [NRS 397.060](#), “residence” means the physical presence of a person within this State. If a person 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.

(Added to NAC by Interstate Comm’n for Higher Education by R047-14, eff. 12-22-2014)

**NAC 397.020 Petition to reduce period of required practice.** ([NRS 397.020](#), [397.040](#), [397.0645](#))

1. To apply for a reduction of the period of required practice as authorized by paragraph (a) of subsection 2 of [NRS 397.0645](#), a person must submit a petition to the commissioners in writing after having practiced continuously for not less than 1 year the profession which the person was certified to study. The petition must contain the reasons 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 having been spent in the rural area; or

(b) As a full-time employee of this State.

3. If the commissioners grant a petition submitted pursuant to this section, the commissioners will reduce the period of required practice by not more than 1 year.

4. 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.

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.

(Added to NAC by Interstate Comm’n for Higher Education, eff. 8-22-84; A by R047-14, 12-22-2014)

**NAC 397.030 Petition for extension for completing required practice.** ([NRS 397.020](#), [397.040](#), [397.0645](#))

1. To apply for an extension of the period for completing the required practice beyond 5 years as authorized by paragraph (b) of subsection 2 of [NRS 397.0645](#), a person must submit a petition to the commissioners in writing before the period for completion has expired. The petition must contain the reasons for requesting the extension.

2. 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.

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 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.

(Added to NAC by Interstate Comm'n for Higher Education, eff. 8-22-84; A by R047-14, 12-22-2014)

**NAC 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.

(Added to NAC by Interstate Comm'n for Higher Education by R047-14, eff. 12-22-2014)

**NAC 397.050 Petition for extension for repayment of loan or stipend because of hardship. ([NRS 397.020](#), [397.040](#), [397.069](#))**

1. To apply for an extension of the period for the repayment of a loan or stipend as authorized by [NRS 397.069](#), a person must submit a petition to the commissioners in writing not later than 120 days after the date on which default on the repayment occurs. The petition must contain the reasons for requesting the extension.

2. 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.

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 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.

(Added to NAC by Interstate Comm'n for Higher Education by R047-14, eff. 12-22-2014)

**NAC 397.060 Petition for reduction of principal balance of loan or stipend because of hardship. ([NRS](#)**



[397.020](#), [397.040](#), [397.0655](#))

1. To apply for a reduction of the principal balance of a loan or stipend because of hardship, a person must submit a petition to the commissioners in writing. The petition must contain the reasons for requesting the reduction.

2. 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.

(Added to NAC by Interstate Comm'n for Higher Education by R047-14, eff. 12-22-2014)

**NAC 397.070 Director authorized to negotiate terms of repayment of loan or stipend; collection of debt.**  
([NRS 397.020](#), [397.040](#), [397.0655](#))

1. Pursuant to [NRS 397.0655](#), the Director of the Western Interstate Commission for Higher Education may negotiate the terms of repayment of a loan or stipend, including, without limitation, how and when a recipient of a loan or stipend who is in default will be required to make payments.

2. If a recipient of a loan or stipend is in default of payment for 120 days or more, the Director may coordinate debt collection efforts as the Director deems necessary.

(Added to NAC by Interstate Comm'n for Higher Education by R047-14, eff. 12-22-2014)