



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL
RULE**

AGENCY: Higher Education Policy Commission TITLE-SERIES: 133-41
RULE TYPE: Procedural Amendment to Existing Rule: Yes Repeal of existing rule: Yes
RULE NAME: Health Sciences Service Program
CITE STATUTORY AUTHORITY: 18B-1-6

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

February 22, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 133
PROCEDURAL RULE
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

SERIES 41
HEALTH SCIENCES SERVICE PROGRAM

§133-41-1. General.

1.1. Scope. -- This rule promulgates policy and procedure regarding the establishment and operation of a Health Sciences Service Program.

1.2. Authority. -- West Virginia Code §18B-1-6 and §18C-3-3.

1.3. Filing Date. – January 22, 2026.

1.4. Effective Date. – February 22, 2026.

1.5. Repeal of Former Rule. -- Repeals and replaces Title 133, Series 41, dated August 18, 2019.

§133-41-2. Purpose.

2.1. The purpose of this program is to provide an incentive for fourth-year medical students to complete their training and provide primary care or emergency medicine in underserved areas of West Virginia, for other health professional students to complete their training and provide primary care in underserved areas of West Virginia, or for nursing program students to complete their training and teach in a school of nursing in West Virginia.

2.1.a. “Primary care” means the health care services generally provided by family practice physicians, general practice physicians, general internists, geriatricians, obstetrician/gynecologists, general pediatricians, psychiatrists and mid-level providers, including nurse practitioners, nurse-midwives, physician assistants, dentists, pharmacists, physical therapists, doctoral clinical psychologists, and licensed independent clinical social workers, or other disciplines which may be identified as primary care by the Vice Chancellor for Administration.

2.1.b. For medical students, the term "training" is defined as the completion of a degree program in allopathic or osteopathic medicine and includes the successful completion of a primary care or emergency medicine residency. For other applicants, the term "training" is defined as the entire degree program or certification program for advanced practice nurses (both master’s and doctoral), physician assistants, dentists, pharmacists, physical therapists, doctoral clinical psychologists, licensed independent clinical social workers, or other disciplines identified as shortage fields by the Vice Chancellor for Administration.

2.1.c. “Underserved” means any primary care health professional shortage area located in the state as determined by the Bureau for Public Health or any additional health professional shortage area determined by the Vice Chancellor for Administration.

2.1.d. “School of nursing” means any associate, baccalaureate, master’s or doctoral level nursing program in West Virginia accredited by a national nursing accrediting agency recognized by the United States Department of Education.

2.2. Health Sciences Service Program funds are to be used to award fourth-year medical students at a West Virginia school of allopathic or osteopathic medicine who have been accepted in an accredited primary care or emergency medicine residency program in West Virginia; or to award students who are enrolled in the last academic year of an accredited education program at a West Virginia institution leading to a degree or certification as an advanced practice nurse, physician assistant, dentist, pharmacist, physical therapist, doctoral clinical psychologist, licensed independent clinical social worker, or other disciplines identified as shortage fields by the Vice Chancellor for Administration. Students who are enrolled in the last year of an accredited master's or doctoral degree nursing program in West Virginia and intend to teach at a school of nursing in West Virginia also are eligible. Any funds repaid in lieu of practice in an underserved area of West Virginia or teaching at a school of nursing in West Virginia will be used to establish a revolving fund to make additional awards to eligible students.

§133-41-3. Eligibility Criteria.

3.1. In order to be eligible for a Health Sciences Service Program award, each applicant must:

3.1.a. Certify that the applicant possesses federal student loans in an amount equal to or exceeding the proposed award amount. Loans eligible for the loan repayment assistance award are federal student loans in the applicant's name that were used for educational costs associated with obtaining a degree. Parent PLUS Loans are not eligible for loan repayment assistance; and

3.1.b. Be enrolled in the last academic year of an accredited education program at a West Virginia institution leading to a degree or certification as a physician, advanced practice nurse, physician assistant, dentist, pharmacist, physical therapist, doctoral clinical psychologist, licensed independent clinical social worker, or other disciplines identified as shortage fields by the Vice Chancellor for Administration.

§133-41-4. Application Process.

4.1. The applicant must apply to the Health Sciences Service Program using an application form approved by the Vice Chancellor for Administration.

4.2. The Vice Chancellor for Administration shall establish a deadline for applying for the Health Sciences Service Program. Applications must be complete and received by the deadline in order for the applicant to be considered for an award.

§133-41-5. Selection of Recipients.

5.1. Recipients will be selected from a pool of all applicants.

5.2. Awards shall be determined by the Vice Chancellor for Administration with the advice of an advisory panel.

5.2.a. The advisory panel may be made up of the Division of Health Sciences Advisory Committee and such other members as may be added by the Vice Chancellor for Administration from time to time.

5.3. In order to be selected to receive a Health Sciences Service Program award, an applicant must agree to practice primary care full-time for at least two (2) years or part-time for at least four (4) years in an underserved area. For advanced practice nursing only, applicants may agree to practice primary

care or teach full-time for at least two (2) years or part-time for at least four (4) years at a school of nursing. A medical student applicant who intends to enter an emergency medicine residency only must agree to practice emergency medicine instead of primary care full-time for at least two (2) years or part-time for at least four (4) years in an underserved area.

5.4. Applications will be processed without regard to race, color, religion, sex, national origin, age, disability, genetic information, and veteran or military status.

5.5. In making awards, the Vice Chancellor for Administration may consider such factors as the applicant's expressed commitment to primary care or teaching, their work or community service experiences in underserved areas of the State and the applicant's ties in West Virginia. For a medical student applicant only, the Vice Chancellor for Administration also may consider the applicant's expressed commitment to emergency medicine.

5.6. The number of awards shall be determined by the availability of funds.

5.7. Nothing in this rule shall be construed as granting or guaranteeing any applicant any right to such an award.

5.8. Awarding preference will be given to West Virginia residents in accordance with the West Virginia Higher Education Policy Commission's (Commission) policy regarding "Residency Classification of Students for Admission and Fee Purposes."

§133-41-6. Award Provisions and Agreement.

6.1. The award amount shall be at least \$20,000 for medical and dental students and at least \$10,000 for all other eligible disciplines.

6.2. The award agreement shall contain the provision that the recipient will agree to practice full-time for at least two (2) years or half-time for at least four (4) years in an underserved area of West Virginia or teach full-time for at least two (2) years or half-time for at least four (4) years at a school of nursing in West Virginia.

6.2.a. Part-time for purposes of fulfillment of Section 6.2 is defined as working a minimum of twenty hours per week.

6.3. The award agreement shall state that if a recipient fails to complete the service obligation the award shall be cancelled.

6.4. No award payments shall be disbursed before the applicant has completed their service obligation.

6.5. A recipient who fails to complete their training or practice in an underserved area, fails to teach at a school of nursing, or fails to submit verification of completion of the terms of the contract by a deadline established by the Vice Chancellor for Administration as required by the award agreement is in breach of contract and the award will be cancelled.

§133-41-7. Notification of Recipients and Fund Disbursement.

7.1. The Vice Chancellor for Administration or their designee shall notify students of their

selection to receive an award.

7.2. The Vice Chancellor for Administration shall disburse funds as follows upon the participant's completion of the service obligation:

7.2.a. One-half of the award amount will be disbursed to the federal student loan servicer upon completion of half of the contract.

7.2.b. The remaining half of the award will be disbursed at the completion of the contract.

§133-41-8. Fulfillment of Agreement.

8.1. To fulfill the award agreement, a participant must complete the service obligation and provide documentation demonstrating the participant has completed the terms of the contract by the deadline established by the Vice Chancellor for Administration.

8.2. A recipient shall satisfy their obligation as stated in the recipient's award agreement by practicing primary care full- or part-time or by full- or part-time teaching at a school of nursing in West Virginia. A medical student recipient only who has completed an emergency medicine residency shall satisfy their obligation practicing emergency medicine full- or part-time in West Virginia.

8.2.a. Any recipient may petition the Vice Chancellor for Administration to pursue additional post-graduate training beyond requirements contained in this section. The Vice Chancellor for Administration shall use their discretion in approving such request.

8.2.b. At the time a recipient is ready to start their practice or teaching, he or she may request that additional areas be considered as underserved by the Vice Chancellor for Administration. Among the criteria for consideration of such additional areas are factors such as a population shift which may create an additional underserved area or a location where a physician or other primary health care professional will retire or leave the area for other reasons.

8.2.c. With advance approval of the Vice Chancellor for Administration, the recipient may serve their obligation concurrently with other service obligations.

8.3. A dentistry, advanced practice nursing, pharmacy, physical therapy, or physician assistant recipient must begin practicing and completing the service obligation within six (6) months of graduation.

8.4. A medical student recipient must begin practicing and completing the service obligation within six (6) months of completing a qualifying primary care or emergency medicine residency program in West Virginia.

8.4.a. Under certain circumstances during a medical student recipient's primary care or emergency medicine residency, the recipient may petition the Vice Chancellor for Administration to allow their service obligation to begin during residency.

8.4.b. A recipient making such a request must possess an executed employment contract governing their post-residency employment. The practice site must be located in a qualifying underserved area. If the contract is for full-time employment, it must require the recipient to work at the practice site for at least two (2) years upon completion of a qualifying primary care or emergency

medicine residency program in West Virginia. If the contract is for part-time employment, it must require the recipient to work at the practice site for at least four (4) years upon completion of a qualifying primary care or emergency medicine residency program in West Virginia.

8.4.c. The Vice Chancellor for Administration shall use discretion in approving such a request. If the Vice Chancellor for Administration approves such a request, the recipient may begin serving the service obligation from the execution date of the employment contract.

8.5. A nurse educator recipient must begin teaching and completing the service obligation within six (6) months of graduation.

8.6. A doctoral psychology recipient must begin practicing and completing the service obligation within six (6) months of completing their one (1) year internship required for attaining a licensure as a doctoral clinical psychologist.

8.7. A master's level social work recipient must begin practicing and completing the service obligation within six (6) months of completing their two (2) year post-graduate clinical field placement required for attaining licensure as a licensed independent clinical social worker.

8.8. If a recipient serves as much as twelve (12) months full-time practice or twenty-four (24) months of part-time practice for their obligation but does not complete the full obligation, payment to the federal student loan servicer shall be figured on a pro rata basis. No credit shall be given for less than twelve (12) months of service of full-time practice or twenty-four (24) months of part-time practice.

§133-41-9. Annual Certification of Practice or Teaching.

9.1. To be eligible for payment to the federal student loan servicer, the recipient must have approval from the Vice Chancellor for Administration to practice at a specific practice site in an underserved area in West Virginia or teach in a specific qualifying nursing program in West Virginia. Throughout the course of their participation in the program, participants must annually provide evidence of continued practice or teaching at an approved site. Such evidence shall be presented on a form provided by the Vice Chancellor for Administration for this purpose.

9.2. Recipients shall be required to maintain their current mailing address, email address, and phone number with the Vice Chancellor for Administration until such time as the contract has been fulfilled.