

1 AMENDMENT TO HOUSE BILL 4037

2 AMENDMENT NO. _____. Amend House Bill 4037 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Higher Education Student Assistance Act
5 is amended by adding Section 65.70 as follows:

6 (110 ILCS 947/65.70 new)

7 Sec. 65.70. Optometric Education Scholarship Program.

8 (a) The General Assembly finds and declares that the
9 provision of graduate education leading to a doctoral degree
10 in optometry for persons of this State who desire such an
11 education is important to the health and welfare of this
12 State and Nation and, consequently, is an important public
13 purpose. Many qualified potential optometrists are deterred
14 by financial considerations from pursuing their optometric
15 education with consequent irreparable loss to the State and
16 Nation of talents vital to health and welfare. A program of
17 scholarships, repayment of which may be excused if the
18 individual practices professional optometry in this State,
19 will enable such individuals to attend qualified public or
20 private institutions of their choice in the State.

21 (b) Beginning with the 2003-2004 academic year, the
22 Commission shall, each year, consider applications for

1 scholarship assistance under this Section. An applicant is
2 eligible for a scholarship under this Section if the
3 Commission finds that the applicant is:

4 (1) a United States citizen or eligible noncitizen;

5 (2) a resident of Illinois; and

6 (3) enrolled on a full-time basis in a public or
7 private college of optometry located in this State that
8 awards a doctorate degree in optometry and is approved by
9 the Department of Professional Regulation.

10 (c) Each year the Commission shall award 10 scholarships
11 under this Section among applicants qualified pursuant to
12 subsection (b). Two of these scholarships each shall be
13 awarded to eligible applicants enrolled in their first year,
14 second year, third year, and fourth year. The remaining 2
15 scholarships shall be awarded to any level of student. The
16 Commission shall receive funding for the scholarships through
17 appropriations from the Optometric Licensing and Disciplinary
18 Board Fund. If in any year the number of qualified applicants
19 exceeds the number of scholarships to be awarded, the
20 Commission shall give priority in awarding scholarships to
21 students demonstrating exceptional merit and who are in
22 financial need. A scholarship shall be in the amount of
23 \$5,000 each year applicable to tuition and fees.

24 (d) The total amount of scholarship assistance awarded
25 by the Commission under this Section to an individual in any
26 given fiscal year, when added to other financial assistance
27 awarded to that individual for that year, shall not exceed
28 the cost of attendance at the institution at which the
29 student is enrolled.

30 (e) A recipient may receive up to 8 semesters or 12
31 quarters of scholarship assistance under this Section.

32 (f) Subject to a separate appropriation made for such
33 purposes, payment of any scholarship awarded under this
34 Section shall be determined by the Commission. All

1 scholarship funds distributed in accordance with this Section
2 shall be paid to the institution on behalf of the recipients.
3 Scholarship funds are applicable toward 2 semesters or 3
4 quarters of enrollment within an academic year.

5 (g) The Commission shall administer the Optometric
6 Education Scholarship Program established by this Section and
7 shall make all necessary and proper rules not inconsistent
8 with this Section for its effective implementation.

9 (h) Prior to receiving scholarship assistance for any
10 academic year, each recipient of a scholarship awarded under
11 this Section shall be required by the Commission to sign an
12 agreement under which the recipient pledges that, within the
13 one-year period following the termination of the academic
14 program for which the recipient was awarded a scholarship,
15 the recipient shall practice in this State as a licensed
16 optometrist under the Illinois Optometric Practice Act of
17 1987 for a period of not less than one year for each year of
18 scholarship assistance awarded under this Section. Each
19 recipient shall, upon request of the Commission, provide the
20 Commission with evidence that he or she is fulfilling or has
21 fulfilled the terms of the practice agreement provided for in
22 this subsection.

23 (i) If a recipient of a scholarship awarded under this
24 Section fails to fulfill the practice obligation set forth in
25 subsection (h) of this Section, the Commission shall require
26 the recipient to repay the amount of the scholarships
27 received, prorated according to the fraction of the
28 obligation not completed, plus interest at a rate of 5% and,
29 if applicable, reasonable collection fees. The Commission is
30 authorized to establish rules relating to its collection
31 activities for repayment of scholarships under this Section.

32 (j) A recipient of a scholarship awarded by the
33 Commission under this Section shall not be in violation of
34 the agreement entered into pursuant to subsection (h) if the

1 recipient (i) is serving as a member of the armed services of
2 the United States; (ii) is enrolled in a residency program
3 following graduation at an approved institution; (iii) is
4 temporarily totally disabled, as established by sworn
5 affidavit of a qualified physician; or (iii) cannot fulfill
6 the employment obligation due to his or her death,
7 disability, or incompetency, as established by sworn
8 affidavit of a qualified physician. No claim for repayment
9 may be filed against the estate of such a decedent or
10 incompetent. Any extension of the period during which the
11 employment requirement must be fulfilled shall be subject to
12 limitations of duration as established by the Commission.

13 Section 10 The Illinois Optometric Practice Act of 1987
14 is amended by changing Section 20 as follows:

15 (225 ILCS 80/20) (from Ch. 111, par. 3920)

16 (Section scheduled to be repealed on January 1, 2007)

17 Sec. 20. Fund. All moneys received by the Department
18 pursuant to this Act shall be deposited in the Optometric
19 Licensing and Disciplinary Board Fund, which is hereby
20 created as a special fund in the State Treasury, and shall be
21 used ~~only~~ for the administration of this Act, including: (a)
22 by the Board in the exercise of its powers and performance of
23 its duties, as such use is made by the Department with full
24 consideration of all recommendations of the Board; (b) for
25 costs directly related to license renewal of persons licensed
26 under this Act; and (c) for direct and allocable indirect
27 costs related to the public purposes of the Department of
28 Professional Regulation. Subject to appropriation, moneys in
29 the Optometric Licensing and Disciplinary Board Fund may be
30 used for the Optometric Education Scholarship Program
31 administered by the Illinois Student Assistance Commission
32 pursuant to Section 65.70 of the Higher Education Student

1 Assistance Act.

2 Moneys in the Fund may be transferred to the Professions
3 Indirect Cost Fund as authorized under Section 2105-300 of
4 the Department of Professional Regulation Law (20 ILCS
5 2105/2105-300).

6 Money in the Optometric Licensing and Disciplinary Board
7 Fund may be invested and reinvested, with all earnings
8 received from such investment to be deposited in the
9 Optometric Licensing and Disciplinary Board Fund and used for
10 the same purposes as fees deposited in such fund.

11 Any monies in the Optometric Examining and Disciplinary
12 Board Fund on the effective date of this Act shall be
13 transferred to the Optometric Licensing and Disciplinary
14 Board Fund.

15 Any obligations of the Optometric Examining and
16 Disciplinary Board Fund unpaid on the effective date of this
17 Act shall be paid from the Optometric Licensing and
18 Disciplinary Board Fund.

19 (Source: P.A. 91-239, eff. 1-1-00.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."