

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

Mark Martin

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published _____

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment _____

☐

Other _____

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council _____

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

Phone Number

E-mail Address

Title

Date

Arkansas Division of Higher Education
Rules Governing Out-of-State Veterinary Medical Education
Loan Repayment Program
(Effective Date: May 2, 2022)

Organization and Structure

- I. The Arkansas Division of Higher Education (ADHE) shall administer the Out-of-State Veterinary Medical Education Loan Repayment program within the policies set by the Arkansas Higher Education Coordinating Board. All formal communications shall be addressed to or signed by the Director of the Arkansas Division of Higher Education or his/her designee.
- II. When functioning under Act 881 of 2011, and any subsequent legislation, ADHE shall follow provisions of the Administrative Procedure Act.

Eligibility Criteria

- I. Eligibility Criteria
 - A. Applicants must be bona fide Arkansas residents, as defined by the Arkansas Division of Higher Education, for at least twelve (12) months prior to the application deadline.
 - B. Applicants must be a citizen of the United States or a lawful permanent resident.
 - C. Applicants must have graduated from a veterinary medicine program from the Mississippi State University College of Veterinary Medicine program after April 2022.
 - D. Applicants must have outstanding federal student loans.
 - E. Applicants must hold a valid Arkansas veterinary's license.
 - F. Applicants must practice food supply veterinary medicine;
 - G. Applicants must begin practicing food supply veterinary medicine in Arkansas within ninety (90) days after the completion of:
 - 1. The professional degree program for which the loan was made;
 - 2. An internship program; or
 - 3. The professional degree program for which the loan was made and an internship program

- H. Applicants must have graduated from an Arkansas public, private, or home school or, GED program.

II. Continued Eligibility

Recipients shall notify ADHE annually with documentation that proves his/her continuation to meet the eligibility criteria set forth above. A recipient may receive an annual award for a maximum of five (5) consecutive years. However, if a recipient fails to practice the minimum amount of food supply veterinary medicine for even one (1) year out of the five (5) consecutive year period, he/she will not receive loan repayment.

Selection Process

I. Application

Students must submit an application for the Out-of-State Veterinary Medical Education Loan Program to the Arkansas Division of Higher Education. The application is available online at the scholarship website.

II. Submission of Application and Application Deadline

The application deadline shall be July 1 of the calendar year in which a student graduates and begins practicing food supply veterinary medicine in Arkansas. At its discretion, the ADHE may extend the deadline, provided sufficient notice is provided to the public. The student is responsible for submitting the application and all supporting documentation in a timely manner.

- III. Upon receipt by ADHE, applications are reviewed to ensure that all pertinent data is included. Each applicant will receive confirmation of the receipt and completeness of the application. For those whose application is either incomplete or ineligible, a notification will be made identifying the reason for incompleteness or ineligibility. The applicant will then have the opportunity to provide the missing information or correct any inaccurate information. Before an applicant can be considered for an award, the corrected/missing information must be received by the ADHE by the deadline indicated in the Incomplete/Ineligible Notice.

IV. Selection and Notification of Recipients

- A. The ADHE shall review applicants and select recipients based on the eligibility criteria for the Out-of-State Veterinary Medical Education Loan Repayment program.
- B. Selected recipients will receive award notices stating their eligibility for the program and the conditions of their award.

- C. Awards will be provided based on available funding.
- D. Awards will be made on a first-come, first-serve basis.
- V. Disbursement of Award

The award will be disbursed in one (1) disbursement to the federal student loan holder indicated by the applicant. If the award amount is larger than the outstanding loan balance, the award amount will be reduced to the amount of the loan balance.

Limitations of Loan Repayment

- I. The Out-of-State Veterinary Medical Education Loan Repayment program shall be used to provide:
 - A. A loan repayment for federal student loans in the amount not to exceed the amount of tuition assistance provided under the Southern Regional Education Compact program per year for each year a licensed veterinarian, who graduated from Mississippi State University College of Veterinary Medicine program after April 2022, practices food supply veterinary medicine in Arkansas. Total term of federal student loan repayment shall not exceed five consecutive years.
 - B. If a recipient fails to satisfy the obligation to engage in the practice of food supply veterinary medicine for one (1) year in a five (5) consecutive year period, then he/she shall not receive the loan repayment amount.

Recipient's Responsibility

- I. Recipient's Responsibility

It is the recipient's responsibility to notify the Arkansas Division of Higher Education of any change in status within 21 days. This will include:

Change in name;

Change in residence;

Failure to notify the Arkansas Division of Higher Education of a change in status will affect future eligibility or collection status.

Deferment of Practice

- A. The obligation to engage in the practice of food supply veterinary medicine for a five (5) consecutive year period shall be postponed during

any:

1. Period of temporary medical disability if the recipient is unable to practice veterinary medicine;
 2. Period of military service under A.C.A. § 6-61-112; or
 3. Other period of postponement agreed to by the ADHE.
- B. To qualify for a deferment, a recipient must notify ADHE of their claim for the deferment and provide supporting documentation on a Request for Deferment form that will be supplied by ADHE upon request. The Request for Deferment form must be completed and returned to ADHE by the recipient. The recipient will be notified within ten (10) days of approval or disapproval of any application for a deferment.

Program Definitions

The following definitions are used in the Out-of-State Veterinary Medical Education Loan Repayment Program:

Arkansas Resident

To be considered an Arkansas resident by ADHE, an applicant must be an Arkansas resident for twelve (12) months prior to the application deadline for the financial aid program. Further, the recipient may be asked to provide evidence of a permanent connection with the State of Arkansas. ADHE will look to one or more of the following to determine residency in those cases:

- (A) Valid Arkansas Driver's License;
- (B) Proof of payment for Arkansas personal and/or real taxes for previous year;
- (C) Proof of Arkansas vehicle registration;
- (D) Proof of Arkansas voter registration; and
- (E) Other forms of proof of Arkansas residency.

Award Year

The award year begins on July 1 of one calendar year, and extends to June 30 of the next calendar year.

| | |
|---|---|
| Food Animal | A bovine, porcine, ovine, camelid, cervid, poultry, and any other species determined by the Arkansas State Veterinarian. |
| Food Supply Veterinary Medicine | All aspects of veterinary medicine's involvement in food supply systems, from traditional agricultural production to consumption. |
| Lawful Permanent Resident | An individual who can provide documentation from the Immigration and Naturalization Service (INS) that he or she is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident. Valid documentation is an I-551, I-151, I-181, I-94, or passport stamped with the notation "Processed for I-551, Temporary Evidence of Lawful Admission for Permanent Residence". A completed Form G-641 can also be used to document permanent resident status. |
| Loan Repayment | A payment made to a federal loan holder on a recipient's behalf after the completion of the yearly requirements by recipient. |
| Participating Institution | Mississippi State University College of Veterinary Medicine |
| Practice of Food Supply Veterinary Medicine | A corporate or private veterinary practice with a minimum of thirty percent (30%) of the practice devoted to food animal medicine or mixed animal medicine located in rural areas. |
| U.S. Citizen | The term "U.S. citizen" includes persons born or who have become naturalized citizens of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and Trust Territory- Palau. The term "national" includes citizens of American Samoa or Swain's Island. |

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Education

DIVISION Division of Higher Education

PERSON COMPLETING THIS STATEMENT Whitney James

TELEPHONE NO. (501) 683-1876 FAX NO. _____ EMAIL: Whitney.James@ade.arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two (2) copies with the Questionnaire and proposed rules.

SHORT TITLE OF THIS RULE

Rules Governing Out-of-State Veterinary Medicine Education Loan Repayment Program

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☒ No ☐
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If an agency is proposing a more costly rule, please state the following:

- a) How the additional benefits of the more costly rule justify its additional cost;

- b) The reason for adoption of the more costly rule;

- c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and

- d) Whether the reason is within the scope of the agency's statutory authority, and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total \$ 0.00

Total \$ 0.00

b) What is the additional cost of the state rule?

Current Fiscal Year

Next Fiscal Year

General Revenue \$ 0.00
Federal Funds \$ 0.00
Cash Funds \$ 0.00
Special Revenue \$ 0.00
Other (Identify) \$ 0.00

General Revenue \$ 0.00
Federal Funds \$ 0.00
Cash Funds \$ 0.00
Special Revenue \$ 250,000.00
Other (Identify) \$ 0.00

Total \$ 0.00

Total \$ 250,000.00

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

Next Fiscal Year

\$ N/A

\$ N/A

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

Next Fiscal Year

\$ N/A

\$ N/A

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?
Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.