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LC002227

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- STAY INVESTED IN RI  
WAVEMAKER FELLOWSHIPS

Introduced By: Representatives Giraldo, and Morales

Date Introduced: March 01, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Legislative findings.

2 The general assembly hereby finds that:

3 (1) The Rhode Island Early Intervention Program, a program established under Part C of  
4 the federal Individuals with Disabilities Education Act and § 23-13-22, is a core component of the  
5 state's commitment to ensuring that families with infants and toddlers with or at substantial risk for  
6 developmental delays and disabilities receive high-quality services as early as possible so children  
7 can develop to their fullest potential and succeed in school and life.

8 (2) Research has shown that about one-third (1/3) of children who receive Early  
9 Intervention services no longer have a developmental delay or special education need in  
10 kindergarten.

11 (3) Early Intervention programs in Rhode Island are not able to attract and retain enough  
12 qualified clinicians, including speech language pathologists, occupational therapists, and physical  
13 therapists, to serve eligible infants and toddlers with developmental delays and disabilities.  
14 Qualified clinicians who are bilingual in Spanish and English are especially difficult to hire and  
15 retain. Many qualified clinicians have accrued significant student loan debt to earn their credentials  
16 and would be attracted to jobs in programs that are eligible for student loan repayment programs.

17 SECTION 2. Sections 42-64.26-3 and 42-64.26-5 of the General Laws in Chapter 42-64.26  
18 entitled "Stay Invested in RI Wavemaker Fellowships" are hereby amended to read as follows:

1           **42-64.26-3. Definitions.**

2           As used in this chapter:

3           (1) “Applicant” means an eligible graduate who applies for a tax credit for education loan  
4 repayment expenses under this chapter.

5           (2) “Award” means a tax credit awarded by the commerce corporation to an applicant as  
6 provided under this chapter.

7           (3) “Commerce corporation” means the Rhode Island commerce corporation established  
8 pursuant to chapter 64 of this title.

9           (4) “Early intervention” means the comprehensive statewide program to provide services  
10 to infants and toddlers with disabilities and their families that is overseen by the executive office  
11 of health and human services to meet the Part C requirements of the Federal Individuals with  
12 Disabilities Education Act and § 23-13-22.

13           (5) “Eligibility period” means a term of up to four (4) consecutive service periods  
14 beginning with the date that an eligible graduate receives initial notice of award under this chapter  
15 and expiring at the conclusion of the fourth service period after such date specified.

16           ~~(5)~~(6) “Eligibility requirements” means the following qualifications or criteria required for  
17 an applicant to claim an award under this chapter:

18           (i) That the applicant shall have graduated from an accredited two-year (2), four-year (4)  
19 or graduate postsecondary institution of higher learning with an associate’s, bachelor’s, graduate,  
20 or post-graduate degree and at which the applicant incurred education loan repayment expenses;

21           (ii) That the applicant shall be a full-time employee with a Rhode Island-based employer  
22 located in this state throughout the eligibility period, whose employment is for work in one or more  
23 of the following covered fields: life, natural or environmental sciences; computer, information or  
24 software technology; advanced mathematics or finance; engineering; industrial design or other  
25 commercially related design field; or medicine or medical device technology.

26           ~~(6)~~(7) “Eligible expenses” or “education loan repayment expenses” means annual higher  
27 education loan repayment expenses, including, without limitation, principal, interest and fees, as  
28 may be applicable, incurred by an eligible graduate and which the eligible graduate is obligated to  
29 repay for attendance at a postsecondary institution of higher learning.

30           ~~(7)~~(8) “Eligible graduate” means an individual who meets the eligibility requirements  
31 under this chapter.

32           ~~(8)~~(9) “Full-time employee” means a person who is employed by a business for  
33 consideration for a minimum of at least thirty-five (35) hours per week, or who renders any other  
34 standard of service generally accepted by custom or practice as full-time employment, or who is

1 employed by a professional employer organization pursuant to an employee leasing agreement  
2 between the business and the professional employer organization for a minimum of thirty-five (35)  
3 hours per week, or who renders any other standard of service generally accepted by custom or  
4 practice as full-time employment, and whose wages are subject to withholding.

5 ~~(9)~~(10) “Healthcare applicant” means any applicant who meets the eligibility requirements  
6 and works as a full-time employee as a high-demand healthcare practitioner or mental health  
7 professional, including, but not limited to, clinical social workers and mental health counselors  
8 licensed by the department of health, and as defined in regulations to be promulgated by the  
9 commerce corporation, in consultation with the executive office of health and human services,  
10 pursuant to chapter 35 of this title.

11 ~~(10)~~(11) “Healthcare fund” refers to the “Healthcare Stay Invested in RI Wavemaker  
12 Fellowship Fund” established pursuant to § 42-64.26-4(b).

13 ~~(11)~~(12) “Rhode Island-based employer” means: (i) An employer having a principal place  
14 of business or at least fifty-one percent (51%) of its employees located in this state; or (ii) An  
15 employer registered to conduct business in this state that reported Rhode Island tax liability in the  
16 previous tax year.

17 ~~(12)~~(13) “Service period” means a twelve-month (12) period beginning on the date that an  
18 eligible graduate receives initial notice of award under this chapter.

19 ~~(13)~~(14) “STEM/design fund” refers to the “Stay Invested in RI Wavemaker Fellowship  
20 Fund” established pursuant to § 42-64.26-4(a).

21 ~~(14)~~(15) “Student loan” means a loan to an individual by a public authority or private lender  
22 to assist the individual to pay for tuition, books, and living expenses in order to attend a  
23 postsecondary institution of higher learning.

24 ~~(15)~~(16) “Taxpayer” means an applicant who receives a tax credit under this chapter.

25 **42-64.26-5. Administration.**

26 (a) Application. An eligible graduate claiming an award under this chapter shall submit to  
27 the commerce corporation an application in the manner that the commerce corporation shall  
28 prescribe.

29 (b) Upon receipt of a proper application from an applicant who meets all of the eligibility  
30 requirements, the commerce corporation shall select applicants on a competitive basis to receive  
31 credits for up to a maximum amount for each service period of one thousand dollars (\$1,000) for  
32 an associate’s degree holder, four thousand dollars (\$4,000) for a bachelor’s degree holder, and six  
33 thousand dollars (\$6,000) for a graduate or post-graduate degree holder, but not to exceed the  
34 education loan repayment expenses incurred by such taxpayer during each service period

1 completed, for up to four (4) consecutive service periods provided that the taxpayer continues to  
2 meet the eligibility requirements throughout the eligibility period. The commerce corporation shall  
3 delegate the selection of the applicants that are to receive awards to a fellowship committee to be  
4 convened by the commerce corporation and promulgate the selection procedures the fellowship  
5 committee will use, which procedures shall require that the committee's consideration of  
6 applications be conducted on a name-blind and employer-blind basis and that the applications and  
7 other supporting documents received or reviewed by the fellowship committee shall be redacted of  
8 the applicant's name, street address, and other personally-identifying information as well as the  
9 applicant's employer's name, street address, and other employer-identifying information. The  
10 commerce corporation shall determine the composition of the fellowship committee and the  
11 selection procedures it will use in consultation with the state's chambers of commerce.  
12 Notwithstanding the foregoing, the commerce corporation shall create and establish a committee  
13 to evaluate any healthcare applicant for an award in the same manner as prescribed in this  
14 subsection. The executive office of health and human services ("EOHHS") shall be represented on  
15 the committee and provide consultation to the commerce corporation on selection procedures.  
16 Notwithstanding EOHHS's consultation and representation in the selection of healthcare  
17 applicants, the commerce corporation shall administer all other aspects of a healthcare applicant's  
18 application, award, and certification.

19 (c) The credits awarded under this chapter shall not exceed one hundred percent (100%) of  
20 the education loan repayment expenses incurred by such taxpayer during each service period  
21 completed for up to four (4) consecutive service periods. Tax credits shall be issued annually to the  
22 taxpayer upon proof that (i) The taxpayer has actually incurred and paid such education loan  
23 repayment expenses; (ii) The taxpayer continues to meet the eligibility requirements throughout  
24 the service period; (iii) The award shall not exceed the original loan amount plus any capitalized  
25 interest less award previously claimed under this section; and (iv) The taxpayer claiming an award  
26 is current on his or her student loan repayment obligations.

27 (d) The commerce corporation shall not commit to overall STEM/design awards in excess  
28 of the amount contained in the STEM/design fund or to overall healthcare awards in excess of the  
29 amount contained in the healthcare fund.

30 (e) The commerce corporation shall reserve seventy percent (70%) of the awards issued in  
31 a calendar year to applicants who are permanent residents of the state of Rhode Island or who  
32 attended an institution of higher education located in Rhode Island when they incurred the  
33 education loan expenses to be repaid.

34 (f) In administering award, the commerce corporation shall:

1 (1) Require suitable proof that an applicant meets the eligibility requirements for award  
2 under this chapter;

3 (2) Determine the contents of applications and other materials to be submitted in support  
4 of an application for award under this chapter; and

5 (3) Collect reports and other information during the eligibility period for each award to  
6 verify that a taxpayer continues to meet the eligibility requirements for an award.

7 (g) In order to address the staffing crisis in the early intervention program and reduce the  
8 number of infants and toddlers with developmental delays and disabilities who are waiting for  
9 needed services, the commerce corporation shall reserve ten (10) awards, or fewer if there are an  
10 insufficient number of qualified applicants, in each calendar year for qualified applicants who are  
11 employed by certified early intervention agencies as speech language pathologists, occupational  
12 therapists, physical therapists, or other qualified professionals on the wavemaker list. Pursuant to  
13 subsection (b) of this section, the commerce corporation shall establish selection criteria for the  
14 early intervention awards that prioritizes qualified applicants who have demonstrated evidence of  
15 bilingual fluency in English and Spanish or English and any other high demand language.

16 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- STAY INVESTED IN RI  
WAVEMAKER FELLOWSHIPS

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1           This act would require the commerce corporation to reserve ten (10) awards each calendar  
2 year for qualified applicants who are employed by certified early intervention agencies as speech  
3 language pathologist, occupational therapists, physical therapist, or other qualified professions on  
4 the wavemaker list, in hopes of addressing the staffing crisis of early intervention programs.

5           This act would take effect upon passage.

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