

FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION AMENDMENT

DATE: March 22, 2016

REGULATION NUMBER AND TITLE: 6.009, Admission of International Students to State University System (SUS) Institutions

SUMMARY: This amended regulation provides guidance on the admission of qualified international students including adherence to federal laws and regulations pertaining to international students and regulations established by the Board of Governors and university boards of trustees for admission to the institution. Health insurance requirements for international students are expressed for select categories of coverage and minimum requirements are included that will place the university in compliance with federal Department of State regulations.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO PROPOSE REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED REGULATION: Dr. Jon Rogers, Director of Academic and Student Affairs

COMMENTS REGARDING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

General Counsel, Board of Governors, State University System, 325 W. Gaines Street, Suite 1614, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), or generalcounsel@flbog.edu.

6.009 Admission of International Students to State University System (SUS) Institutions.

(1) Within enrollment, space, and fiscal limitations, eligible international students may be accepted for admission at the appropriate level to an institution in the State University System (SUS). Each university board of trustees shall develop regulations for admission of international students that are consistent with Board of Governors regulations. At a minimum, such regulations shall require that:

- (a) International students are obligated to follow the laws and regulations set by the United States Citizenship and Immigration Services of the United States Department of Homeland Security and the United States Department of State;
- (b) An international applicant must be academically eligible for admission to the program at the level of entrance requested by the applicant. An international student must demonstrate the required level of academic preparation as evidenced by official copies of any academic records needed to ascertain the comparability of the level and quality of the student's previous education and achievement to that required for other students. Universities may choose to use departmental examinations to validate students' claims when official documents are unavailable or insufficient. Academic documents must be translated into English and evaluated by a reputable credential evaluator;
- (c) An international applicant's proficiency in English must be adequate. International students whose first language is not English must demonstrate English language proficiency, as determined by the university. Universities may utilize various methods to determine English language proficiency, such that the method utilized to evaluate an individual student is sufficient to ensure a reasonable chance of academic success. All methods for determining English language proficiency shall be clearly outlined and included in university regulation. For those students demonstrating English language proficiency as measured by the Test of English as a Foreign Language (TOEFL), minimum scores acceptable for admission to an SUS university are 500 on the paper-based test, 173 on the computer-based test, or 61 on the iBT Internet-based test. Universities may set higher minimum TOEFL scores for admission;
- (d) In order for an appropriate official at the university to issue a Certificate of Eligibility (Form I-20 or a DS 2019) to an international applicant, the student must provide documentation showing sufficient resources to cover tuition, fees, books, room and board, health insurance, and other living expenses while enrolled at the university; and
- (e) Each international applicant determined to be academically and financially eligible for admission must submit a health history form including proof of immunizations as required by the university prior to enrollment at the university.

(2) No international student in F or J non-immigrant status shall be permitted to register, or to continue enrollment, at a university without demonstrating that the student, and in the case of J visa holders, that their accompanying spouse and dependents have adequate medical insurance coverage for illness or accidental injury and which includes the following minimum requirements:

- (a) Coverage Period: Policies must provide, at a minimum, continuous coverage for the entire period the insured is enrolled as an eligible student, including annual breaks during that period. Payment of benefits must be renewable;
- (b) Basic Benefits: Room, board, hospital services, physician fees, surgeon fees, ambulance, outpatient services, and outpatient customary fees must be paid at 80% or more of usual, customary, reasonable charge per accident or illness, after deductible is met, for in-network, and 760% or more of usual, customary, and reasonable charge for out-of-network providers per accident or illness;
- (c) Inpatient Mental Health Care: Must be paid at 80% in-network or 60% out-of-network of the usual and customary fees with a minimum 30-day cap per benefit period;
- (d) Outpatient Mental Health Care: Must be paid at 80% in-network or 60% out-of-network of the usual and customary fees for a minimum of 30 (preferably 40) sessions per year;
- (e) Maternity Benefits: Must be treated as any other temporary medical condition and paid at no less than 80% of usual and customary fees in-network or 60% out-of-network;
- ~~(f) Inpatient/Outpatient Prescription Medication: Must include coverage of \$1,000 or more per policy year;~~
- ~~(g) Repatriation: \$25,000 (coverage to return the student's remains to his/her native country);~~
- ~~(h) Medical Evacuation: \$50,000 (to permit the patient to be transported to his/her home country and to be accompanied by a provider or escort, if directed by the physician in charge);~~
- ~~(i) Exclusion for Pre-Existing Conditions: First six months of policy period, at most.~~
- ~~(j) Deductible: Maximum of \$50 per occurrence if treatment or services are rendered at the Student Health Center; maximum of \$100 per occurrence if treatment or services are rendered at an off-campus ambulatory care or hospital emergency department facility;~~
- ~~(k) Minimum coverage: \$2100,000 for covered injuries/illnesses per accident or illness per policy year;~~
- ~~(l) Insurance Carrier must, at a minimum, meet the rating requirements specified in Part 62.14(d) of Title 22 of the Code of Federal Regulations;~~
- ~~(m) Policy must not unreasonably exclude coverage for perils inherent to the student's program of study;~~
- ~~(n) Claims must be paid in U.S. dollars payable on a U.S. financial institution;~~
- ~~(o) Policy provisions must be available from the insurer in English.~~

(3) ~~Any e~~ Changes in status that may affect an international student's visa category, employment, or classification as a nonresident alien for tax purposes may alter minimum insurance requirements as provided in this regulation and may require compliance with the Patient Protection and Affordable Care Act codified in 42 U.S.C. section 18001 et seq. A student should consult with the appropriate university official t
To ensure continued satisfaction of minimum insurance requirements, a student should consult with a qualified tax professional if a change in status may affect they have changes in their visa category, employment, or classification as a nonresident alien for tax purposes and promptly notify the appropriate university official of any changes in their insurance plan.

Authority: Section 7(d), Art. IX, Fla. Const.; History: Adopted 7-6-72, 12-17-74, Amended 6-21-83, 8-11-85, Formerly 6C-6.09, Amended 12-9-91, 9-27-07, Amended and Renumbered 1-29-09, Amended _____.