

By: Guillen

H.B. No. 1211

A BILL TO BE ENTITLED

AN ACT

relating to repayment of certain mental health professional education loans.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 61.601, Education Code, as amended by Chapters 891 (H.B. 3083) and 1101 (H.B. 3808), Acts of the 85th Legislature, Regular Session, 2017, is reenacted and amended to read as follows:

Sec. 61.601. DEFINITION. In this subchapter, "mental health professional" means:

(1) a licensed physician who is:

(A) a graduate of an accredited psychiatric residency training program; or

(B) certified in psychiatry by:

(i) the American Board of Psychiatry and Neurology; or

(ii) the American Osteopathic Board of Neurology and Psychiatry;

(2) a psychologist, as defined by Section 501.002, Occupations Code;

(3) a licensed professional counselor, as defined by Section 503.002, Occupations Code;

(4) an advanced practice registered nurse, as defined by Section 301.152, Occupations Code, who holds a nationally

1 recognized board certification in psychiatric or mental health
2 nursing;

3 (5) a licensed clinical social worker, as defined by
4 Section 505.002, Occupations Code; ~~and~~

5 (6) a licensed specialist in school psychology, as
6 defined by Section 501.002, Occupations Code;

7 (7) a chemical dependency counselor, as defined by
8 Section 504.001, Occupations Code; and

9 (8) ~~(6)~~ a licensed marriage and family therapist, as
10 defined by Section 502.002, Occupations Code.

11 SECTION 2. Section 61.603, Education Code, is amended to
12 read as follows:

13 Sec. 61.603. ELIGIBILITY. (a) Except as provided by
14 Subsection (b), to ~~Te~~ be eligible to receive repayment assistance
15 under this subchapter, a mental health professional must:

16 (1) apply to the board;

17 (2) have completed one, two, three, four, or five
18 consecutive years of practice in a mental health professional
19 shortage area designated by the Department of State Health
20 Services; and

21 (3) provide mental health services in this state to:

22 (A) recipients under the medical assistance
23 program authorized by Chapter 32, Human Resources Code;

24 (B) enrollees under the child health plan program
25 authorized by Chapter 62, Health and Safety Code; or

26 (C) persons committed to a secure correctional
27 facility operated by or under contract with the Texas Juvenile

1 Justice Department or persons confined in a secure correctional
2 facility operated by or under contract with any division of the
3 Texas Department of Criminal Justice.

4 (b) To be eligible to receive repayment assistance under
5 this subchapter, a mental health professional described by Section
6 61.601(6) must:

7 (1) apply to the board;

8 (2) be employed by:

9 (A) a school district all or part of which is
10 located in a federally designated mental health care health
11 professional shortage area;

12 (B) an open-enrollment charter school that is
13 located in a shortage area described by Paragraph (A); or

14 (C) a public school that receives federal funding
15 under Title I, Elementary and Secondary Education Act of 1965 (20
16 U.S.C. Section 6301 et seq.);

17 (3) provide mental health services to students
18 enrolled in that district or school, as applicable; and

19 (4) have completed one, two, three, four, or five
20 consecutive years of practice in this state as described by
21 Subdivisions (2) and (3).

22 (c) In addition to satisfying the requirements under
23 Subsection (a), for a licensed physician to be eligible to receive
24 repayment assistance under this subchapter after the physician's
25 third consecutive year of practice described under Subsection
26 (a)(2), the physician must be certified in psychiatry by:

27 (1) the American Board of Psychiatry and Neurology; or

1 (2) the American Osteopathic Board of Neurology and
2 Psychiatry.

3 SECTION 3. Sections [61.604](#)(d) and (e), Education Code, as
4 added by Chapter 1101 (H.B. 3808), Acts of the 85th Legislature,
5 Regular Session, 2017, are amended to read as follows:

6 (d) The board may award a grant under this subchapter to a
7 mental health professional described by Section [61.601](#)(8)
8 [~~[61.601](#)(6)~~] only in accordance with Subsection (e).

9 (e) If in a state fiscal year there are funds available for
10 purposes of the program after funding grants to all eligible mental
11 health professionals described by Sections [61.601](#)(1)-(7)
12 [~~Subsections [61.601](#)(1)-(5)~~], the board may allocate any unused
13 funds to award repayment assistance grants to mental health
14 professionals in any of the professions listed in Section [61.601](#)
15 except that priority must be given to awarding grants to mental
16 health professionals described by Sections [61.601](#)(1)-(7)
17 [~~Subsections [61.601](#)(1)-(5)~~]. The limitations prescribed by
18 Subsections (b) and (c) do not apply to grants awarded under this
19 subsection.

20 SECTION 4. Section [61.607](#)(b), Education Code, is amended to
21 read as follows:

22 (b) The total amount of repayment assistance received by a
23 mental health professional under this subchapter may not exceed:

24 (1) \$160,000, for assistance from the state received
25 by a licensed physician;

26 (2) \$80,000, for assistance from the state received
27 by:

1 (A) a psychologist;

2 (B) a licensed clinical social worker, if the
3 social worker has received a doctoral degree related to social
4 work;

5 (C) a licensed professional counselor, if the
6 counselor has received a doctoral degree related to counseling; or

7 (D) a licensed marriage and family therapist, if
8 the marriage and family therapist has received a doctoral degree
9 related to marriage and family therapy;

10 (3) \$60,000, for assistance from the state received by
11 an advanced practice registered nurse;

12 (4) \$40,000, for assistance from the state received
13 by:

14 (A) a licensed clinical social worker, a licensed
15 marriage and family therapist, or a licensed professional counselor
16 who is not described by Subdivision (2); or

17 (B) a licensed specialist in school psychology;

18 and

19 (5) \$10,000, for assistance from the state received by
20 a licensed chemical dependency counselor, if the chemical
21 dependency counselor has received an associate degree related to
22 chemical dependency counseling or behavioral science.

23 SECTION 5. The following provisions are repealed:

24 (1) Section 61.604(d), Education Code, as added by
25 Chapter 891 (H.B. 3083), Acts of the 85th Legislature, Regular
26 Session, 2017; and

27 (2) Section 61.608(c), Education Code, as added by

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1 Chapter 891 (H.B. 3083), Acts of the 85th Legislature, Regular
2 Session, 2017.

3 SECTION 6. This Act takes effect September 1, 2023.