

A BILL TO BE ENTITLED

AN ACT

relating to student loan repayment assistance for certain mental health professionals.

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

SECTION 1. Chapter 61, Education Code, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. REPAYMENT OF CERTAIN MENTAL HEALTH PROFESSIONAL  
EDUCATION LOANS

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 the American Board of Psychiatry and Neurology;

(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 recognized board certification in psychiatric or mental health nursing; and

(5) a licensed clinical social worker, as defined by

1 Section 505.002, Occupations Code.

2 Sec. 61.602. REPAYMENT AUTHORIZED. If the legislature  
3 appropriates funds for purposes of this subchapter, the board shall  
4 establish a program to provide, in accordance with this subchapter  
5 and rules of the board, assistance in the repayment of student loans  
6 for mental health professionals who apply and qualify for the  
7 assistance.

8 Sec. 61.603. ELIGIBILITY. (a) To be eligible to receive  
9 repayment assistance under this subchapter, a mental health  
10 professional must:

11 (1) apply to the board;

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

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

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

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

21 (C) persons committed to a secure correctional  
22 facility operated by or under contract with the Texas Juvenile  
23 Justice Department or persons confined in a secure correctional  
24 facility operated by or under contract with any division of the  
25 Texas Department of Criminal Justice.

26 (b) In addition to satisfying the requirements under  
27 Subsection (a), for a licensed physician to be eligible to receive

1 repayment assistance under this subchapter after the physician's  
2 third consecutive year of practice described under Subsection  
3 (a)(2), the physician must be certified in psychiatry by the  
4 American Board of Psychiatry and Neurology.

5 Sec. 61.604. LIMITATIONS. (a) A mental health  
6 professional may receive repayment assistance under this  
7 subchapter for not more than five years.

8 (b) Not more than 10 percent of the number of repayment  
9 assistance grants paid under this subchapter each year may be  
10 awarded to mental health professionals providing mental health  
11 services described by Section 61.603(a)(3)(C).

12 (c) Not more than 30 percent of the number of repayment  
13 assistance grants paid under this subchapter each year may be  
14 awarded to mental health professionals in any one of the  
15 professions listed in Section 61.601.

16 Sec. 61.605. ELIGIBLE LOANS. (a) The board may provide  
17 repayment assistance under this subchapter for the repayment of any  
18 student loan for education at an institution of higher education, a  
19 private or independent institution of higher education, or a public  
20 or private out-of-state institution of higher education accredited  
21 by a recognized accrediting agency, including loans for  
22 undergraduate education, received by an eligible person through any  
23 lender.

24 (b) The board may not provide repayment assistance for a  
25 student loan that is in default at the time of the person's  
26 application.

27 (c) In each state fiscal biennium, the board shall attempt

1 to allocate all funds appropriated to the board for the purpose of  
2 providing loan repayment assistance under this subchapter.

3 Sec. 61.606. REPAYMENT. (a) The board shall deliver any  
4 repayment under this subchapter in a lump sum payable:

5 (1) to both the lender or other holder of the loan and  
6 the mental health professional; or

7 (2) directly to the lender or other holder of the loan  
8 on the mental health professional's behalf.

9 (b) A repayment under this subchapter may be applied to any  
10 amount due in connection with the loan.

11 Sec. 61.607. AMOUNT OF REPAYMENT ASSISTANCE. (a) A mental  
12 health professional may receive repayment assistance under this  
13 subchapter for each year the mental health professional establishes  
14 eligibility for the assistance in an amount determined by applying  
15 the following applicable percentage to the maximum total amount of  
16 assistance allowed for the mental health professional under  
17 Subsection (b):

18 (1) for the first year, 10 percent;

19 (2) for the second year, 15 percent;

20 (3) for the third year, 20 percent;

21 (4) for the fourth year, 25 percent; and

22 (5) for the fifth year, 30 percent.

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

25 (1) \$160,000, for assistance received by a licensed  
26 physician;

27 (2) \$80,000, for assistance received 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; or

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

7           (3) \$60,000, for assistance received by an advanced  
8 practice registered nurse; and

9           (4) \$40,000, for assistance received by a licensed  
10 clinical social worker or a licensed professional counselor who is  
11 not described by Subdivision (2).

12           (c) The total amount of repayment assistance provided under  
13 this subchapter may not exceed the sum of:

14           (1) the total amount of gifts and grants accepted by  
15 the board for the repayment assistance;

16           (2) legislative appropriations for the repayment  
17 assistance; and

18           (3) other funds available to the board for the  
19 repayment assistance.

20           (d) The board may adjust in an equitable manner the  
21 distribution amounts that mental health professionals would  
22 otherwise receive under Subsection (a) for a year as necessary to  
23 comply with Subsection (c).

24           Sec. 61.608. RULES. (a) The board shall adopt rules  
25 necessary to administer this subchapter.

26           (b) The board shall distribute to each institution of higher  
27 education or private or independent institution of higher education

1 and to any appropriate state agency and professional association  
2 copies of the rules adopted under this section and other pertinent  
3 information relating to this subchapter.

4 Sec. 61.609. SOLICITATION AND ACCEPTANCE OF FUNDS. The  
5 board may solicit and accept gifts and grants from any public or  
6 private source for the purposes of this subchapter.

7 SECTION 2. The Texas Higher Education Coordinating Board  
8 shall adopt the rules for repayment assistance under Subchapter K,  
9 Chapter 61, Education Code, as added by this Act, not later than  
10 December 1, 2015.

11 SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2015.