

By: Schwertner, et al.
(Zerwas, Coleman)

S.B. No. 239

Substitute the following for S.B. No. 239:

By: Crownover

C.S.S.B. No. 239

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:

(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; and

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

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

11 Sec. 61.603. ELIGIBILITY. (a) To be eligible to receive
12 repayment assistance under this subchapter, a mental health
13 professional must:

14 (1) apply to the board;

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

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

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

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

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

1 Texas Department of Criminal Justice.

2 (b) In addition to satisfying the requirements under
3 Subsection (a), for a licensed physician to be eligible to receive
4 repayment assistance under this subchapter after the physician's
5 third consecutive year of practice described under Subsection
6 (a)(2), the physician must be certified in psychiatry by:

- 7 (1) the American Board of Psychiatry and Neurology; or
8 (2) the American Osteopathic Board of Neurology and
9 Psychiatry.

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

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

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

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

1 lender.

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

5 (c) In each state fiscal biennium, the board shall attempt
6 to allocate all funds appropriated to the board for the purpose of
7 providing loan repayment assistance under this subchapter.

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

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

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

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

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

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

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

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

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

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

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

3 (1) \$160,000, for assistance received by a licensed
4 physician;

5 (2) \$80,000, for assistance received by:

6 (A) a psychologist;

7 (B) a licensed clinical social worker, if the
8 social worker has received a doctoral degree related to social
9 work; or

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

12 (3) \$60,000, for assistance received by an advanced
13 practice registered nurse; and

14 (4) \$40,000, for assistance received by a licensed
15 clinical social worker or a licensed professional counselor who is
16 not described by Subdivision (2).

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

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

21 (2) legislative appropriations for the repayment
22 assistance; and

23 (3) other funds available to the board for the
24 repayment assistance.

25 (d) The board may adjust in an equitable manner the
26 distribution amounts that mental health professionals would
27 otherwise receive under Subsection (a) for a year as necessary to

1 comply with Subsection (c).

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

4 (b) The board shall distribute to each institution of higher
5 education or private or independent institution of higher education
6 and to any appropriate state agency and professional association
7 copies of the rules adopted under this section and other pertinent
8 information relating to this subchapter.

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

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

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