

By: Schwertner

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 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 Section 505.002, Occupations Code.

Sec. 61.602. REPAYMENT AUTHORIZED. The board shall establish a program to provide, using funds appropriated for that

1 purpose and in accordance with this subchapter and rules of the
2 board, assistance in the repayment of student loans for mental
3 health professionals who apply and qualify for the assistance.

4 Sec. 61.603. ELIGIBILITY. To be eligible to receive
5 repayment assistance under this subchapter, a mental health
6 professional must:

7 (1) apply to the board;

8 (2) have completed one, two, three, four, or five
9 consecutive years of practice in a health professional shortage
10 area designated by the Department of State Health Services; and

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

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

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

16 (C) persons committed to a secure correctional
17 facility operated by or under contract with the Texas Juvenile
18 Justice Department or persons confined in a secure correctional
19 facility operated by or under contract with any division of the
20 Texas Department of Criminal Justice.

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

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

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

5 Sec. 61.605. ELIGIBLE LOANS. (a) The board may provide
6 repayment assistance under this subchapter for the repayment of any
7 student loan for education at an institution of higher education, a
8 private or independent institution of higher education, or a public
9 or private out-of-state institution of higher education accredited
10 by a recognized accrediting agency, including loans for
11 undergraduate education, received by an eligible person through any
12 lender.

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

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

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

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

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

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

27 Sec. 61.607. AMOUNT OF REPAYMENT ASSISTANCE. (a) A mental

1 health professional may receive repayment assistance under this
2 subchapter for each year the mental health professional establishes
3 eligibility for the assistance in an amount determined by applying
4 the following applicable percentage to the maximum total amount of
5 assistance allowed for the mental health professional under
6 Subsection (b):

- 7 (1) for the first year, 10 percent;
- 8 (2) for the second year, 15 percent;
- 9 (3) for the third year, 20 percent;
- 10 (4) for the fourth year, 25 percent; and
- 11 (5) for the fifth year, 30 percent.

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

- 14 (1) \$160,000, for assistance received by a licensed
15 physician;
- 16 (2) \$80,000, for assistance received by a
17 psychologist, a licensed professional counselor, or an advanced
18 practice registered nurse; and
- 19 (3) \$40,000, for assistance received by a licensed
20 clinical social worker.

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

- 23 (1) the total amount of gifts and grants accepted by
24 the board for the repayment assistance;
- 25 (2) legislative appropriations for the repayment
26 assistance; and
- 27 (3) other funds available to the board for the

1 repayment assistance.

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

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

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

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

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

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