

## **BILL ANALYSIS**

S.B. 646  
By: West  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The mental health professionals loan repayment program was created by the 84th Legislature in 2015. The bill sponsor has informed the committee that, 10 years later, the program must be updated to meet the state's modern mental health needs in the midst of a mental health provider shortage. According to the Texas Department of State Health Services health professional shortage area dashboard, 246 out of 254 Texas counties were wholly or partially designated as a mental health professional shortage area in 2024. S.B. 646 seeks to update the mental health professionals loan repayment program by including a broader range of mental health professionals in the program and by revising the amount of repayment assistance allowed for an eligible mental health professional. The bill seeks to help retain the mental health workforce currently being developed in Texas and incentivize mental health providers to work in Texas' highest areas of need, including rural counties.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 646 amends the Education Code to include within the definition of "mental health professional" for purposes of provisions governing the repayment of certain mental health professional education loans the following categories of professionals:

- a licensed master social worker, as defined by applicable Occupations Code provisions;
- a person who holds a licensed professional counselor associate license issued by the Texas State Board of Examiners of Professional Counselors;
- a licensed marriage and family therapist associate, as defined by applicable Occupations Code provisions; and
- a school counselor certified under applicable state law who has earned at least a master's degree related to counseling from any public or accredited private institution of higher education.

S.B. 646 reenacts Section 61.603, Education Code, as amended by Chapters 678 (H.B. 1211), 705 (H.B. 2100), and 1069 (S.B. 532), Acts of the 88th Legislature, Regular Session, 2023, to conform to changes made by Chapter 1069 (S.B. 532), Act of the 88th Legislature, Regular Session, 2023. In addition, the bill gives a mental health professional the option of providing mental health services to students enrolled in a public school in Texas as an alternative to providing mental health services to patients in a state hospital or individuals receiving applicable

community-based mental health for purposes of establishing such eligibility requirements. These bill provisions apply only to a person who first establishes eligibility for loan repayment assistance on the basis of an application submitted on or after September 1, 2025. A person who first establishes eligibility on the basis of an application submitted before September 1, 2025, is governed by the law in effect at the time the application was submitted, and the former law is continued in effect for that purpose.

S.B. 646 repeals Section 61.604(e), Education Code, which does the following:

- authorizes the Texas Higher Education Coordinating Board (THECB), if in a state fiscal year there are funds available for purposes of the repayment assistance program after funding grants to all eligible mental health professionals, to allocate any unused funds to award grants to mental health professionals in any eligible profession, except priority must be given to any mental health professional other than a licensed marriage and family therapist; and
- exempts grants awarded under that authorization from certain limitations regarding the number of repayment assistance grants.

The bill instead authorizes the THECB, if in a state fiscal year not all funds available for purposes of the repayment assistance program are used, to allocate any unused funds to award grants to mental health professionals in any of the eligible professions. The bill's provisions relating to limitations on the repayment of certain mental health professional education loans apply beginning with the state fiscal year beginning September 1, 2025.

S.B. 646 authorizes the THECB to use funds, in an amount not to exceed \$1 million appropriated for purposes of the repayment of certain mental health professional education loans, to market the program to students enrolled in postsecondary institutions, mental health professionals, and mental health professional organizations and associations and to contract with a third party for the purpose. The bill authorizes the THECB or third party to develop marketing plans or promotional materials to market the repayment assistance program.

S.B. 646 revises the caps on the total amount of education loan repayment assistance received by a mental health professional under applicable provisions as follows:

- removes the specification that the caps apply to the total amount of repayment assistance allowed for an eligible mental health professional;
- raises the cap from \$160,000 to \$180,000 for assistance from the state received by a licensed physician;
- raises the cap from \$80,000 to \$100,000 for assistance from the state received by the following:
  - a psychologist;
  - a licensed clinical social worker, if the social worker has received a doctoral degree related to social work;
  - a licensed professional counselor, if the counselor has received a doctoral degree related to counseling; or
  - a licensed marriage and family therapist, if the marriage and family therapist has received a doctoral degree related to marriage and family therapy;
- raises the cap from \$60,000 to \$80,000 for assistance from the state received by an advanced practice registered nurse;
- raises the cap from \$40,000 to \$60,000 for assistance from the state received by a licensed specialist in school psychology or a licensed clinical social worker, a licensed marriage and family therapist, or a licensed professional counselor who has not received an applicable doctoral degree; and
- raises the cap from \$10,000 to \$15,000 for assistance from the state received by a licensed chemical dependency counselor, if the chemical dependency counselor has received an associate degree related to chemical dependency counseling or behavioral science.

With respect to a licensed chemical dependency counselor for these purposes, the bill specifies that the counselor has received at least an associate degree and conditions the cap on the

counselor not otherwise applicable to the \$50,000 cap for certain licensed chemical dependency counselor. Subsequently, the bill caps the amount of education loan repayment assistance received by the following mental health professionals:

- at \$60,000 the assistance from the state received by:
  - a licensed master social worker;
  - a person who holds a licensed professional counselor associate license issued by the Texas State Board of Examiners of Professional Counselors;
  - a licensed marriage and family therapist associate; or
  - a certified school counselor who has earned at least a master's degree related to counseling from any public or accredited private institution of higher education; and
- at \$50,000 the assistance from the state received by a licensed chemical dependency counselor, if the chemical dependency counselor has received within the same 12-month period the counselor's license and most recent degree applicable to the counselor's licensing eligibility requirements.

S.B. 646 makes a mental health professional who receives education loan repayment assistance under applicable provisions eligible to receive repayment assistance in addition to the amount specified by the caps, as follows:

- a one-time amount of \$5,000 for a mental health professional who is fluent in a language of need in the professional's practice area as determined by the THECB;
- a one-time amount of \$10,000 for a mental health professional who practices in a county with a population of 150,000 or less; and
- notwithstanding the provision in current law limiting repayment assistance to three years, \$15,000 per year for a mental health professional who practices for a fourth and fifth consecutive year in the manner pursuant to eligibility requirements for the repayment assistance.

The bill prohibits the total amount of repayment assistance issued to a mental health professional under the repayment assistance program from exceeding the capped amount for the applicable profession plus 10 percent of that amount. The bill's provisions relating to the amount of repayment assistance applies only to a person who first establishes eligibility for loan repayment assistance on the basis of an application submitted on or after September 1, 2025. A person who first establishes eligibility on the basis of an application submitted before September 1, 2025, is governed by the law in effect at the time the application was submitted, and the former law is continued in effect for that purpose.

S.B. 646 repeals Section 61.604(e), Education Code.

### **EFFECTIVE DATE**

September 1, 2025.