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
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. If the legislature appropriates funds for purposes of this subchapter, the board shall establish a program to provide, in accordance with this subchapter and rules of the board, assistance in the repayment of student loans for mental health professionals who apply and qualify for the assistance.

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

(1) apply to the board;

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

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

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

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

(C) persons committed to a secure correctional facility operated by or under contract with the Texas Juvenile Justice Department or persons confined in a secure correctional facility operated by or under contract with any division of the
In addition to satisfying the requirements under Subsection (a), for a licensed physician to be eligible to receive repayment assistance under this subchapter after the physician's third consecutive year of practice described under Subsection (a)(2), the physician must be certified in psychiatry by:

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

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

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

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

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

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

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

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

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

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

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

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

(1) for the first year, 10 percent;

(2) for the second year, 15 percent;

(3) for the third year, 20 percent;

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

(5) for the fifth year, 30 percent.
(b) The total amount of repayment assistance received by a mental health professional under this subchapter may not exceed:

1. $160,000, for assistance received by a licensed physician;
2. $80,000, for assistance received by:
   - a psychologist;
   - a licensed clinical social worker, if the social worker has received a doctoral degree related to social work; or
   - a licensed professional counselor, if the counselor has received a doctoral degree related to counseling;
3. $60,000, for assistance received by an advanced practice registered nurse; and
4. $40,000, for assistance received by a licensed clinical social worker or a licensed professional counselor who is not described by Subdivision (2).

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

1. the total amount of gifts and grants accepted by the board for the repayment assistance;
2. legislative appropriations for the repayment assistance;
3. other funds available to the board for the repayment assistance.

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

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

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

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

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.
S.B. No. 239

President of the Senate

I hereby certify that S.B. No. 239 passed the Senate on April 27, 2015, by the following vote: Yeas 23, Nays 7; and that the Senate concurred in House amendment on May 28, 2015, by the following vote: Yeas 25, Nays 6.

Speaker of the House

I hereby certify that S.B. No. 239 passed the House, with amendment, on May 22, 2015, by the following vote: Yeas 81, Nays 59, one present not voting.

Secretary of the Senate

Chief Clerk of the House

Approved:

Date

Governor