

1-1 By: Schwertner S.B. No. 239  
 1-2 (In the Senate - Filed December 15, 2014; January 28, 2015,  
 1-3 read first time and referred to Committee on Higher Education;  
 1-4 April 20, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 5, Nays 1; April 20, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Seliger	X			
1-9 West	X			
1-10 Bettencourt	X			
1-11 Burton		X		
1-12 Menéndez	X			
1-13 Perry			X	
1-14 Watson	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 239 By: Seliger

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to student loan repayment assistance for certain mental  
 1-20 health professionals.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Chapter 61, Education Code, is amended by adding  
 1-23 Subchapter K to read as follows:

1-24 SUBCHAPTER K. REPAYMENT OF CERTAIN MENTAL HEALTH PROFESSIONAL  
 1-25 EDUCATION LOANS

1-26 Sec. 61.601. DEFINITION. In this subchapter, "mental  
 1-27 health professional" means:

1-28 (1) a licensed physician who is:

1-29 (A) a graduate of an accredited psychiatric  
 1-30 residency training program; or

1-31 (B) certified in psychiatry by the American Board  
 1-32 of Psychiatry and Neurology;

1-33 (2) a psychologist, as defined by Section 501.002,  
 1-34 Occupations Code;

1-35 (3) a licensed professional counselor, as defined by  
 1-36 Section 503.002, Occupations Code;

1-37 (4) an advanced practice registered nurse, as defined  
 1-38 by Section 301.152, Occupations Code, who holds a nationally  
 1-39 recognized board certification in psychiatric or mental health  
 1-40 nursing; and

1-41 (5) a licensed clinical social worker, as defined by  
 1-42 Section 505.002, Occupations Code.

1-43 Sec. 61.602. REPAYMENT AUTHORIZED. The board shall  
 1-44 establish a program to provide, using funds appropriated for that  
 1-45 purpose and in accordance with this subchapter and rules of the  
 1-46 board, assistance in the repayment of student loans for mental  
 1-47 health professionals who apply and qualify for the assistance.

1-48 Sec. 61.603. ELIGIBILITY. (a) To be eligible to receive  
 1-49 repayment assistance under this subchapter, a mental health  
 1-50 professional must:

1-51 (1) apply to the board;

1-52 (2) have completed one, two, three, four, or five  
 1-53 consecutive years of practice in a mental health professional  
 1-54 shortage area designated by the Department of State Health  
 1-55 Services; and

1-56 (3) provide mental health services in this state to:

1-57 (A) recipients under the medical assistance  
 1-58 program authorized by Chapter 32, Human Resources Code;

1-59 (B) enrollees under the child health plan program  
 1-60 authorized by Chapter 62, Health and Safety Code; or

2-1 (C) persons committed to a secure correctional  
 2-2 facility operated by or under contract with the Texas Juvenile  
 2-3 Justice Department or persons confined in a secure correctional  
 2-4 facility operated by or under contract with any division of the  
 2-5 Texas Department of Criminal Justice.

2-6 (b) In addition to satisfying the requirements under  
 2-7 Subsection (a), for a licensed physician to be eligible to receive  
 2-8 repayment assistance under this subchapter after the physician's  
 2-9 third consecutive year of practice described under Subsection  
 2-10 (a)(2), the physician must be certified in psychiatry by the  
 2-11 American Board of Psychiatry and Neurology.

2-12 Sec. 61.604. LIMITATIONS. (a) A mental health  
 2-13 professional may receive repayment assistance under this  
 2-14 subchapter for not more than five years.

2-15 (b) Not more than 10 percent of the number of repayment  
 2-16 assistance grants paid under this subchapter each year may be  
 2-17 awarded to mental health professionals providing mental health  
 2-18 services described by Section 61.603(a)(3)(C).

2-19 (c) Not more than 30 percent of the number of repayment  
 2-20 assistance grants paid under this subchapter each year may be  
 2-21 awarded to mental health professionals in any one of the  
 2-22 professions listed in Section 61.601.

2-23 Sec. 61.605. ELIGIBLE LOANS. (a) The board may provide  
 2-24 repayment assistance under this subchapter for the repayment of any  
 2-25 student loan for education at an institution of higher education, a  
 2-26 private or independent institution of higher education, or a public  
 2-27 or private out-of-state institution of higher education accredited  
 2-28 by a recognized accrediting agency, including loans for  
 2-29 undergraduate education, received by an eligible person through any  
 2-30 lender.

2-31 (b) The board may not provide repayment assistance for a  
 2-32 student loan that is in default at the time of the person's  
 2-33 application.

2-34 (c) In each state fiscal biennium, the board shall attempt  
 2-35 to allocate all funds appropriated to the board for the purpose of  
 2-36 providing loan repayment assistance under this subchapter.

2-37 Sec. 61.606. REPAYMENT. (a) The board shall deliver any  
 2-38 repayment under this subchapter in a lump sum payable:

2-39 (1) to both the lender or other holder of the loan and  
 2-40 the mental health professional; or

2-41 (2) directly to the lender or other holder of the loan  
 2-42 on the mental health professional's behalf.

2-43 (b) A repayment under this subchapter may be applied to any  
 2-44 amount due in connection with the loan.

2-45 Sec. 61.607. AMOUNT OF REPAYMENT ASSISTANCE. (a) A mental  
 2-46 health professional may receive repayment assistance under this  
 2-47 subchapter for each year the mental health professional establishes  
 2-48 eligibility for the assistance in an amount determined by applying  
 2-49 the following applicable percentage to the maximum total amount of  
 2-50 assistance allowed for the mental health professional under  
 2-51 Subsection (b):

2-52 (1) for the first year, 10 percent;

2-53 (2) for the second year, 15 percent;

2-54 (3) for the third year, 20 percent;

2-55 (4) for the fourth year, 25 percent; and

2-56 (5) for the fifth year, 30 percent.

2-57 (b) The total amount of repayment assistance received by a  
 2-58 mental health professional under this subchapter may not exceed:

2-59 (1) \$160,000, for assistance received by a licensed  
 2-60 physician;

2-61 (2) \$80,000, for assistance received by:

2-62 (A) a psychologist;

2-63 (B) a licensed clinical social worker, if the  
 2-64 social worker has received a doctoral degree related to social  
 2-65 work; or

2-66 (C) a licensed professional counselor, if the  
 2-67 counselor has received a doctoral degree related to counseling;

2-68 (3) \$60,000, for assistance received by an advanced  
 2-69 practice registered nurse; and

