

BILL ANALYSIS

C.S.H.B. 3083
By: Price
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that Texas' mental health workforce shortage continues to impede patients' ability to receive necessary mental health care. The parties observe that, while the state has created many incentive programs to help bolster the mental health workforce, those incentives are not always available to licensed chemical dependency counselors. C.S.H.B. 3083 seeks to address this issue by adjusting the eligibility requirements for the repayment of certain mental health professional education loans.

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 rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 5 of this bill.

ANALYSIS

C.S.H.B. 3083 amends the Education Code to authorize the Texas Higher Education Coordinating Board, if in a state fiscal year not all funds available for purposes of the student loan repayment assistance program established by the coordinating board for certain mental health professionals are used, to allocate any unused funds to award repayment assistance grants to mental health professionals in any of the professions that classify a professional as such under the program. The bill requires the coordinating board to adopt rules establishing a process for allocating any such unused funds in accordance with that authorization and includes a licensed chemical dependency counselor among the professionals classified as a mental health professional for purposes of repayment assistance eligibility. The bill caps the total amount of repayment assistance from the state for a licensed chemical dependency counselor who has received an associate degree related to chemical dependency counseling or behavioral science at \$10,000 and clarifies that any amount of assistance received by a mental health professional under the program is from the state.

C.S.H.B. 3083 requires the coordinating board to administer the program in a manner that maximizes any matching funds available, and to annually seek the maximum amount of funds available, through the state loan repayment program under the National Health Service Corps program of the U.S. Department of Health and Human Services Health Resources and Services Administration.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3083 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 61.601, Education Code, is amended.

SECTION 2. Section 61.603(a), Education Code, is amended to read as follows:

(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 Texas Department of Criminal Justice.

No equivalent provision.

SECTION 3. Sections 61.607(a) and (b), Education Code, are amended to read as follows:

(a) A mental health professional may receive repayment assistance under this

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

No equivalent provision.

SECTION 2. Section 61.604, Education Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding Subsection (c), if in a state fiscal year not all funds available for purposes of the program are used, the board may allocate any unused funds to award repayment assistance grants to mental health professionals in any of the professions listed in Section 61.601.

SECTION 3. Section 61.607(b), Education Code, is amended to read as follows:

subchapter for each consecutive 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, 25 [~~15~~] percent;
- ~~(2)~~ [~~(3)~~] for the third year, 20 percent;
- ~~(3)~~ [~~(4)~~] for the fourth year, 25 percent; and
- ~~(4)~~ [~~(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) a psychologist;
- (B) a licensed clinical social worker, if the social worker has received a doctoral degree related to social work; or
- (C) 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); and

(5) \$10,000, for assistance 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.

No equivalent provision.

No equivalent provision.

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

(1) \$160,000, for assistance from the state received by a licensed physician;

(2) \$80,000, for assistance from the state received by:

- (A) a psychologist;
- (B) a licensed clinical social worker, if the social worker has received a doctoral degree related to social work; or
- (C) a licensed professional counselor, if the counselor has received a doctoral degree related to counseling;

(3) \$60,000, for assistance from the state received by an advanced practice registered nurse; [~~and~~]

(4) \$40,000, for assistance from the state received by a licensed clinical social worker or a licensed professional counselor who is not described by Subdivision (2); and

(5) \$10,000, 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.

SECTION 4. The heading to Section 61.608, Education Code, is amended to read as follows:

Sec. 61.608. RULES; ADMINISTRATION.

SECTION 5. Section 61.608, Education Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The board shall adopt rules establishing a process for allocating any unused funds under the program in accordance with Section 61.604(d).

(d) The board shall administer the program

under this subchapter in a manner that maximizes any matching funds available through the state loan repayment program under the National Health Service Corps program of the United States Department of Health and Human Services Health Resources and Services Administration.

No equivalent provision.

SECTION 6. Section 61.609, Education Code, is amended to read as follows:

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

(b) The board annually shall seek the maximum amount of funds available through the state loan repayment program under the National Health Service Corps program of the United States Department of Health and Human Services Health Resources and Services Administration.

No equivalent provision.

SECTION 4. The changes in law made by this Act to Sections 61.603(a) and 61.607(a), Education Code, apply only to a person who first establishes eligibility for loan repayment assistance under Subchapter K, Chapter 61, Education Code, as amended by this Act, on the basis of an application submitted on or after September 1, 2017. A person who first establishes eligibility on the basis of an application submitted before September 1, 2017, 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.

SECTION 5. This Act takes effect September 1, 2017.

SECTION 7. Same as introduced version.