

115TH CONGRESS
2D SESSION

S. 3796

To amend the Public Health Service Act to authorize a loan repayment program for mental health professionals to relieve workforce shortages, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2018

Ms. HARRIS introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to authorize a loan repayment program for mental health professionals to relieve workforce shortages, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Mental Health Profes-
5 sionals Workforce Shortage Loan Repayment Act”.

6 **SEC. 2. LOAN REPAYMENT PROGRAM FOR MENTAL HEALTH**
7 **PROFESSIONALS IN SHORTAGE.**

8 Title VII of the Public Health Service Act is amend-
9 ed—

1 (1) by redesignating part F (42 U.S.C. 295j et
2 seq.) as part G; and

3 (2) by inserting after part E (42 U.S.C. 294n
4 et seq.) the following:

5 **“PART F—MENTAL HEALTH PROFESSIONALS IN**
6 **WORKFORCE SHORTAGE**

7 **“SEC. 781. LOAN REPAYMENT PROGRAM FOR MENTAL**
8 **HEALTH PROFESSIONALS IN WORKFORCE**
9 **SHORTAGES.**

10 “(a) IN GENERAL.—The Secretary, acting through
11 the Administrator of the Health Resources and Services
12 Administration, shall carry out a program under which—

13 “(1) the Secretary enters into agreements with
14 individuals to make payments in accordance with
15 subsection (b) on the principal of and interest on
16 any eligible loan; and

17 “(2) the individuals each agree to complete a
18 period of service in a mental health professional
19 shortage area.

20 “(b) PAYMENTS.—For each year of obligated service
21 by an individual pursuant to an agreement under sub-
22 section (a), the Secretary shall make a payment to such
23 individual as follows:

24 “(1) SERVICE IN A SHORTAGE AREA.—The Sec-
25 retary shall pay—

1 “(A) for each year of obligated service by
2 an individual pursuant to an agreement under
3 subsection (a), $\frac{1}{6}$ of the principal of and inter-
4 est on each eligible loan of the individual which
5 is outstanding on the date the individual began
6 service pursuant to the agreement; and

7 “(B) for completion of the sixth and final
8 year of such service, the remainder of such
9 principal and interest.

10 “(2) MAXIMUM AMOUNT.—The total amount of
11 payments under this section to any individual shall
12 not exceed \$250,000.

13 “(c) ELIGIBLE LOANS.—The loans eligible for repay-
14 ment under this section are each of the following:

15 “(1) Any loan for education in mental health or
16 a related field leading to a master’s degree, leading
17 to a doctoral degree, or consisting of post-doctoral
18 study.

19 “(2) Any Federal Direct Stafford Loan, Fed-
20 eral Direct PLUS Loan, or Federal Direct Unsub-
21 sidized Stafford Loan, or Federal Direct Consolida-
22 tion Loan (as such terms are used in section 455 of
23 the Higher Education Act of 1965).

24 “(3) Any Federal Perkins Loan under part E
25 of title I of the Higher Education Act of 1965.

1 “(4) Any other Federal loan as determined ap-
2 propriate by the Secretary.

3 “(d) PERIOD OF SERVICE.—The period of service re-
4 quired by an agreement under subsection (a) shall consist
5 of up to 6 years of full-time employment, with no more
6 than one year passing between any two years of covered
7 employment, as a mental health professional in the United
8 States in a mental health professional shortage area.

9 “(e) INELIGIBILITY FOR DOUBLE BENEFITS.—No
10 borrower may, for the same service, receive a reduction
11 of loan obligations or a loan repayment under both—

12 “(1) this subsection; and

13 “(2) any Federally supported loan forgiveness
14 program, including under section 338B, 338I, or
15 846 of this Act, or section 428J, 428L, 455(m), or
16 460 of the Higher Education Act of 1965.

17 “(f) BREACH.—

18 “(1) LIQUIDATED DAMAGES FORMULA.—The
19 Secretary may establish a liquidated damages for-
20 mula to be used in the event of a breach of an
21 agreement entered into under subsection (a).

22 “(2) LIMITATION.—The failure by an individual
23 to complete the full period of service obligated pur-
24 suant to such an agreement, taken alone, shall not
25 constitute a breach of the agreement, so long as the

1 individual completed in good faith the years of serv-
2 ice for which payments were made to the individual
3 under this section.

4 “(g) ADDITIONAL CRITERIA.—The Secretary—

5 “(1) may establish such criteria and rules to
6 carry out this section as the Secretary determines
7 are needed and in addition to the criteria and rules
8 specified in this section; and

9 “(2) shall give notice to the committees speci-
10 fied in subsection (h) of any criteria and rules so es-
11 tablished.

12 “(h) REPORT TO CONGRESS.—Not later than 5 years
13 after the date of enactment of the Mental Health Profes-
14 sionals Workforce Shortage Loan Repayment Act, and
15 every other year thereafter, the Secretary shall prepare
16 and submit to the Committee on Energy and Commerce
17 of the House of Representatives and the Committee on
18 Health, Education, Labor, and Pensions of the Senate a
19 report on—

20 “(1) the number and location of borrowers who
21 have qualified for loan repayments under this sec-
22 tion; and

23 “(2) the impact of this section on the avail-
24 ability of mental health services in mental health
25 professional shortage areas.

1 “(i) DEFINITION.—In this section:

2 “(1) The term ‘mental health professional’
3 means a full-time job (including a fellowship) where
4 the primary intent and function of the job is the di-
5 rect treatment or recovery support of patients with
6 or in recovery from a mental health disorder, such
7 as a physician (MD or DO), psychiatric nurse, social
8 worker, mental health counselor, psychologist, psy-
9 chiatrist, child and adolescent psychiatrist, or neu-
10 rologist.

11 “(2) The term ‘mental health professional
12 shortage area’ means—

13 “(A) an area designated under section 332
14 with respect to a shortage of mental health pro-
15 fessionals; or

16 “(B) any facility, program, center, or clinic
17 as determined appropriate by the Secretary for
18 purposes of this section because of a shortage
19 of mental health professionals, including private
20 physician practices and other medical facilities
21 designated under section 332(a) as having such
22 a shortage.

1 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$25,000,000 for each of fiscal years 2019 through 2028.”.

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