

Smith S. 3393 Amendment #1

BAI23443 F61

S.L.C.

T. Murkowski

AMENDMENT NO. 1

Calendar No. _____

Purpose: To amend the Public Health Service Act to authorize a loan repayment program for mental health professionals to relieve workforce shortages.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 3393

To reauthorize the SUPPORT for Patients and Communities Act, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. SMITH (for herself and Ms. MURKOWSKI)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . LOAN REPAYMENT PROGRAM FOR MENTAL**

3 **HEALTH PROFESSIONALS IN SHORTAGE.**

4 Title VII of the Public Health Service Act is amend-

5 ed—

6 (1) by redesignating part G (42 U.S.C. 295j et
7 seq.) as part H; and

8 (2) by inserting after part F (42 U.S.C. 294n
9 et seq.) the following:

1 **"PART G—MENTAL HEALTH PROFESSIONALS IN**
2 **WORKFORCE SHORTAGE**

3 **"SEC. 783. LOAN REPAYMENT PROGRAM FOR MENTAL**
4 **HEALTH PROFESSIONALS IN WORKFORCE**
5 **SHORTAGES.**

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

9 “(1) the Secretary enters into agreements with
10 individuals to make payments in accordance with
11 subsection (b) on the principal of and interest on
12 any eligible loan; and

13 “(2) the individuals each agree to complete a
14 period of service in a mental health professional
15 shortage area.

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

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

22 “(A) for each year of obligated service by
23 an individual pursuant to an agreement under
24 subsection (a), $\frac{1}{6}$ of the principal of and inter-
25 est on each eligible loan of the individual which

1 is outstanding on the date the individual began
2 service pursuant to the agreement; and

3 “(B) for completion of the sixth and final
4 year of such service, the remainder of such
5 principal and interest.

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

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

11 “(1) Any loan for education in mental health or
12 a related field leading to a master’s degree, leading
13 to a doctoral degree, or consisting of post-doctoral
14 study.

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

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

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

24 “(d) PERIOD OF SERVICE.—The period of service re-
25 quired by an agreement under subsection (a) shall consist

1 of up to 6 years of full-time employment, with no more
2 than one year passing between any two years of covered
3 employment, as a mental health professional in the United
4 States in a mental health professional shortage area.

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

8 “(1) this subsection; and

9 “(2) any federally supported loan forgiveness
10 program, including under section 338B, 338I, or
11 846 of this Act, or section 428J, 428L, 455(m), or
12 460 of the Higher Education Act of 1965.

13 “(f) BREACH.—

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

18 “(2) LIMITATION.—The failure by an individual
19 to complete the full period of service obligated pur-
20 suant to such an agreement, taken alone, shall not
21 constitute a breach of the agreement, so long as the
22 individual completed in good faith the years of serv-
23 ice for which payments were made to the individual
24 under this section.

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

1 “(1) may establish such criteria and rules to
2 carry out this section as the Secretary determines
3 are needed and in addition to the criteria and rules
4 specified in this section; and

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

8 “(h) REPORT TO CONGRESS.—Not later than 5 years
9 after the date of enactment of this section, and every other
10 year thereafter, the Secretary shall prepare and submit
11 to the Committee on Energy and Commerce of the House
12 of Representatives and the Committee on Health, Edu-
13 cation, Labor, and Pensions of the Senate a report on—

14 “(1) the number and location of borrowers who
15 have qualified for loan repayments under this sec-
16 tion; and

17 “(2) the impact of this section on the avail-
18 ability of mental health services in mental health
19 professional shortage areas.

20 “(i) DEFINITION.—In this section:

21 “(1) The term ‘mental health professional’
22 means a full-time job (including a fellowship) where
23 the primary intent and function of the job is the di-
24 rect treatment or recovery support of patients with
25 or in recovery from a mental health disorder, such

1 as a physician (MD or DO), psychiatric nurse, social
2 worker, marriage and family therapist, mental
3 health counselor, occupational therapist, psycholo-
4 gist, psychiatrist, child and adolescent psychiatrist,
5 or neurologist.

6 “(2) The term ‘mental health professional
7 shortage area’ means—

8 “(A) an area designated under section 332
9 with respect to a shortage of mental health pro-
10 fessionals; or

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

18 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this section
20 \$25,000,000 for each of fiscal years 2024 through 2033.”.