

CALIFORNIA STATE BOARD OF BEHAVIORAL SCIENCES BILL ANALYSIS

BILL NUMBER: AB 1635 **VERSION:** INTRODUCED JANUARY 12, 2022

AUTHOR: NGUYEN **SPONSOR:** AUTHOR

RECOMMENDED POSITION: SUPPORT IF AMENDED

SUBJECT: SUICIDE PREVENTION: MENTAL HEALTH PROVIDER EDUCATIONAL LOAN
REPAYMENT

Summary: This bill creates a new account in the Mental Health Practitioner Education Fund to provide grants to repay education loans for specified Board licensees and registrants who commit to providing direct patient care for at least 24 months in an organization that provides mental health services to individuals who have been referred there by a suicide prevention hotline.

Existing Law:

- 1) Requires that in addition to the regular biennial license renewal fee, LMFTs, LCSWs, and LPCCs pay an additional \$20 biennial fee at renewal, which shall be deposited in the Mental Health Practitioner Education Fund. (BPC §§4984.75, 4996.65, 4999.121)
- 2) Creates the Licensed Mental Health Service Provider Education Program within the Department of Health Care Access and Information (HCAI). (Health and Safety Code (HSC) §§128454(a))
- 3) Defines a “licensed mental health service provider” to include several types of licensed mental health professionals, including marriage and family therapists, associate marriage and family therapists, licensed clinical social workers, associate clinical social workers, licensed professional clinical counselors, and associate professional clinical counselors. (HSC §128454(b)(1))
- 4) Defines a “mental health professional shortage area” as an area given this designation by the Health Resources and Services Administration of the U.S. Department of Health and Human Services. (HSC §128454(b)(2))
- 5) Allows any licensed mental health service provider who provides direct patient care in a publicly funded facility or a mental health professional shortage area to apply for grants under this program to reimburse educational loans related to a career as a licensed mental health service provider. (HSC §128454(c))

- 6) Requires the HCAI to develop the grant program, including adopting the following (HSC §128454(d) and (e)):
 - A standard contract that a grant recipient must sign obligating them to work in a publicly funded facility or a mental health professional shortage area for at least one year.
 - The maximum allowable total grant per person and the maximum annual grant per person.
- 7) Establishes the Mental Health Practitioner Education Fund in the State Treasury, which is to be available for the HCAI for purposes of providing grants for licensed mental health services providers who provide direct patient care in a publicly funded facility or a mental health professional shortage area to reimburse educational loans. (HSC §128458)
- 8) When selecting loan repayment recipients, requires the mental health workforce needs, including cultural and linguistic needs, of the state in general and of the qualified facilities and mental health professional shortage areas, to be taken into consideration. (22 California Code of Regulation (CCR) §97930.7)
- 9) Requires a recipient of a loan repayment grant to provide service for 24 months for no less than 32 hours per week. (22 CCR §97930.8(a))
- 10) Creates an additional account in the Mental Health Practitioner Education Fund, dependent on appropriation by the Legislature. Money from this account is to be used to provide grants to repay education loans for marriage and family therapists, associate marriage and family therapists, licensed clinical social workers, associate clinical social workers, licensed professional clinical counselors, and associate professional clinical counselors who commit to providing direct patient care in a publicly funded facility or mental health professional shortage area for at least 24 months, and who were formerly in California's foster youth care system. (HSC §128455)

This Bill:

Creates an additional account in the Mental Health Practitioner Education Fund. Upon appropriation by the Legislature, money from this account is to be used to provide grants to repay education loans for marriage and family therapists, associate marriage and family therapists, licensed clinical social workers, associate clinical social workers, licensed professional clinical counselors, and associate professional clinical counselors who commit to providing direct patient care for at least 24 months, in a publicly or privately funded facility or organization that provides mental health services to individuals who have been referred there by a national, state or local suicide prevention hotline. (HSC §128457)

Comment:

1) Author's Intent. In their fact sheet, the author's office states the following:

"In the midst of a widening mental health crisis, California is facing a shortage of mental health professionals amid growing demand. According to the California Health Care Foundation, 64% of respondents polled shared that their mental or emotional health had gotten "worse" or "a lot worse" since the start of the COVID-19 pandemic. Additionally, 91% of providers surveyed reported an increase in patients experiencing a range of mental health concerns ranging from anxiety and depression stress-related disorders and suicidal ideation or thoughts."

2) Funding Source Not Identified. This bill does not currently identify a funding source for the loan repayment grants.

3) Related Legislation. There are several similar bills running this year that seek to address the mental health provider shortage through financial incentives:

- **AB 2123 (Villapudua)** seeks to provide housing grants to certain specified health professionals in health professional shortage areas, to be used for mortgage payments.
- **AB 2222 (Reyes)** establishes a scholarship program for certain qualifying students enrolled in an in-state postgraduate program working to become LMFTs, LCSWs, or LPCCs if they commit to working in a California-based nonprofit setting for their required post degree hours of supervised experience.
- **AB 2666 (Salas)** establishes a stipend program for students in behavioral health fields of study and practice, who are participating in internships or completing licensure hours, through unpaid positions, at federally qualified health centers, with priority to mental health professional shortage areas and underrepresented groups in the behavioral health workforce.
- **SB 1229 (McGuire)** creates a grant program under HCAI to increase the number of mental health professionals serving children and youth. It proposes awarding grants of up to \$25,000 to post-graduate students enrolled in an accredited social work program, or a program designed to lead to licensure as an LMFT or LPCC if the student meets specified criteria, including agreeing to work in an eligible California-based nonprofit entity or a local education agency when gaining their required postgraduate supervised experience hours required for licensure.

Previous Legislation.

- **AB 1188 (Chapter 557, Statutes of 2017)** increased the Mental Health Practitioner fee that LMFTs and LCSWs pay upon license renewal from \$10 to \$20. It also required LPCCs to pay a \$20 fee into the fund upon license renewal (they previously were not included in the program), and allows LPCCs and associate PCCs to apply for the loan repayment grant if they work in a mental health professional shortage area.
- **AB 2143 (Caballero, 2018)** proposed allowing psychiatric mental health nurse practitioners and physician assistants, who also hold a specified license with this Board or the Board of Psychology, and who work in a psychiatric mental health setting, to be eligible for the Mental Health Practitioner Education fund loan repayment grant program. The Board had taken an “oppose unless amended” position on this bill, and it was vetoed by the Governor.
- **AB 2608 (Chapter 585, Statutes of 2018)** created a new account under the Mental Health Practitioner Education Fund loan repayment grant program specifically for loan repayment grants for LMFT, LCSW, and LPCC licensees and registrants who were formerly in California’s foster youth care system.

4) Recommended Position. At its April 20, 2022 meeting, the Policy and Advocacy Committee recommended that the Board consider taking a “support if amended” position on this bill, and ask for the following amendments:

- An amendment to identify a new funding source (in order to ensure the bill does not impact or take away dollars from already-existing mental health grant/stipend programs).
- An amendment to broaden work setting eligible for the grant to also include nonprofit settings, public systems settings, and other agencies that provide suicide prevention referrals.

5) Support and Opposition

Support:

- California Council of Community Behavioral Health Agencies (CBHA)
- The Depression and Bipolar Support Alliance (DBSA)

Opposition:

- County Behavioral Health Directors Association (CBHDA)

6) History

2022

04/05/22 From committee: Do pass and re-refer to Com. on APPR. (Ayes 16. Noes 0.) (April 5). Re-referred to Com. on APPR.
01/20/22 Referred to Com. on B. & P.
01/13/22 From printer. May be heard in committee February 12.
01/12/22 Read first time. To print.

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ASSEMBLY BILL

No. 1635

Introduced by Assembly Member Nguyen

January 12, 2022

An act to add Section 128457 to the Health and Safety Code, relating to suicide prevention.

legislative counsel's digest

AB 1635, as introduced, Nguyen. Suicide prevention: mental health provider educational loan repayment.

Existing law authorizes a licensed mental health service provider, as defined, including a marriage and family therapist, associate marriage and family therapist, licensed clinical social worker, and associate clinical social worker, who provides direct patient care in a publicly funded facility or a mental health professional shortage area, as defined, to apply for grants under the Licensed Mental Health Service Provider Education Program to reimburse the provider's educational loans related to a career as a licensed mental health service provider. Existing law establishes the Mental Health Practitioner Education Fund and provides that moneys in that fund are available, upon appropriation by the Legislature, for purposes of the Licensed Mental Health Service Provider Education Program.

This bill would create an account within the Mental Health Practitioner Education Fund and, subject to an appropriation by the Legislature, require the use of moneys in that account to fund grants to repay educational loans for specified mental health practitioners who commit to providing direct patient care for at least 24 months in a facility that provides mental health services to individuals who have been referred to that facility by a suicide prevention hotline.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 128457 is added to the Health and Safety
- 2 Code, to read:
- 3 128457. An account shall be created within the Mental Health
- 4 Practitioner Education Fund and, upon appropriation by the
- 5 Legislature, moneys in that account shall be used solely to fund
- 6 grants, consistent with this article, to repay educational loans for
- 7 an applicant who meets both of the following requirements:
- 8 (a) Commits to provide direct patient care for at least 24 months
- 9 in a publicly or privately funded facility or organization that
- 10 provides mental health services to individuals who have been
- 11 referred to that facility or organization by either a national, state,
- 12 regional, or local suicide prevention hotline.
- 13 (b) Is a marriage and family therapist, associate marriage and
- 14 family therapist, licensed clinical social worker, associate clinical
- 15 social worker, licensed professional clinical counselor, or associate
- 16 professional clinical counselor.

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