



CALIFORNIA STATE BOARD OF BEHAVIORAL SCIENCES BILL ANALYSIS

BILL NUMBER: SB 26

VERSION: AMENDED JANUARY 11, 2024

AUTHOR: UMBERG

SPONSOR: AUTHOR

POLICY & ADVOCACY COMMITTEE RECOMMENDATION: NONE

SUBJECT: MENTAL HEALTH PROFESSIONS: CARE SCHOLARSHIP PROGRAM

Summary: This bill would create a scholarship program in order to incentivize those seeking licensure as a marriage and family therapist, clinical social worker, professional clinical counselor, or psychologist to work in a county behavioral health agency in support of the CARE Act.

Existing Law:

- 1) Creates the Community, Assistance, Recovery, and Empowerment (CARE) Act, with the intent of providing a process for earlier intervention for individuals with certain untreated mental health disorders. The process is intended to provide a framework for counties and local governments to focus their efforts on providing comprehensive treatment, housing, and supportive services to those with complex behavioral health care needs. (Welfare and Institutions Code (WIC) § 5970 et seq.)
- 2) Establishes the Department of Health Care Access and Information (HCAI). (Health and Safety Code (HSC) §127000)
- 3) Creates a Health Professions Education Fund within HCAI, for the purpose of providing scholarships and loans to students from underrepresented groups who are pursuing careers in the health professions. (HSC §128355)
- 4) Creates the Licensed Mental Health Service Provider Education Program within HCAI, which is a program that provides grants to licensed mental health service providers who provide direct patient care in a publicly funded facility or a mental health professional shortage area to reimburse their educational loans. (HSC §§128454(a) and (c))
- 5) 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)

- 6) 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))
- 7) 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))
- 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) 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:

- 1) Creates the Community Assistance, Recovery, and Empowerment (CARE) Scholarship Program within HCAI, as an annual scholarship for the purpose of increasing the number of culturally competent LMFTs, LCSWs, LPCCs, and psychologists needed to work for county behavioral health agencies to implement the CARE Act. (HSC §128460)
- 2) In order to qualify for the scholarship, an applicant must be pursuing a degree program that meets the state’s requirements for licensure as an LMFT, LCSW, LPCC, or psychologist. They also must agree to work for a county behavioral health agency in support of the CARE Act for at least 3 years upon being licensed. (HSC §128460)
- 3) Requires HCAI to develop other needed requirements to implement the scholarship program. (HSC §128460)
- 4) Makes the scholarship program operative upon appropriation by the Legislature. (HSC §128460)

Comment:

- 1) **Author's Intent.** The author notes that with the recent establishment of the CARE Act and the CARE Court program, more behavioral health professionals will be needed to work in county behavioral health agencies. They state the following in their fact sheet for the bill:

“California cannot effectively implement the CARE Court program without increasing the number of behavioral health practitioners who are willing to work for this program. Due to the costs of higher education in behavioral and behavioral health, graduates are incentivized to work for private industry to subsidize the costs of their education. As a result, very few behavioral health practitioners work for the public at the state and county level, making it increasingly difficult for the state to provide adequate behavioral and behavioral health care to its vulnerable citizens.”

With this bill, they are seeking to create a scholarship program in order to incentivize mental health professionals to work in a county behavioral health agency.

- 2) **Funding Source Not Identified.** This bill is dependent on appropriation of funds by the Legislature. However, a funding source is not identified.
- 3) **Policy and Advocacy Committee Discussion.** The Board's Policy and Advocacy Committee discussed this bill at its April 12, 2024 meeting. It opted not to recommend a position on this bill; however, it directed staff to seek additional information from the author's office about estimated scholarship amounts and allowable work settings.

In response, the author's office indicated that they are waiting to see if the bill is funded in the budget before making any decision on scholarship amounts. Regarding the work settings, they would be LMFT, LPCC, LCSW, or psychologist positions at county behavioral health agencies. They noted it would be up to the Department of Health Care Services to determine what types of work site choices recipients would be given.

- 4) **Staff Recommendation.** Staff recommends that the Board consider taking a support position on this bill.

5) **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 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.

6) Support and Opposition

Support:

- None at this time.

Opposition:

- None at this time.

7) History

01/25/24	In Assembly. Read first time. Held at Desk.
01/25/24	Read third time. Passed. (Ayes 34. Noes 0. Page 3034.) Ordered to the Assembly.
01/22/24	Read second time. Ordered to third reading.
01/18/24	From committee: Do pass. (Ayes 6. Noes 0. Page 3010.) (January 18).
01/17/24	Set for hearing January 18.
01/16/24	January 16 hearing: Placed on APPR suspense file.
01/12/24	Set for hearing January 16.
01/11/24	Read second time and amended. Re-referred to Com. on APPR.
01/10/24	From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 11. Noes 0. Page 2970.) (January 10).
01/04/24	Set for hearing January 10.
01/03/24	Re-referred to Com. on HEALTH.
01/03/24	From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
01/18/23	Referred to Com. on RLS.
12/06/22	From printer. May be acted upon on or after January 5.
12/05/22	Introduced. Read first time. To Com. on RLS. for assignment. To print.

AMENDED IN SENATE JANUARY 11, 2024

AMENDED IN SENATE JANUARY 3, 2024

SENATE BILL

No. 26

Introduced by Senator Umberg
(Coauthor: Senator Rubio)

December 5, 2022

An act to add Article 3.6 (commencing with Section 128460) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to health professions.

legislative counsel's digest

SB 26, as amended, Umberg. Mental health professions: CARE Scholarship Program.

Existing law, the Community Assistance, Recovery, and Empowerment (CARE) Act, authorizes specified adult persons to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan and implement services, to be provided by county behavioral health agencies, to provide behavioral health care, including stabilization medication, housing, and other enumerated services, to adults who are currently experiencing a severe mental illness and have a diagnosis identified in the disorder class schizophrenia and other psychotic disorders, and who meet other specified criteria.

Existing law requires the Department of Health Care Access and Information to perform various duties with respect to implementing health professions scholarship and loan programs.

This bill would, upon appropriation, establish the Community Assistance, Recovery, and Empowerment (CARE) Scholarship Program. The bill would require the department to ~~develop the program, as prescribed, to provide annual scholarships to individuals pursuing a~~

~~degree program that meets the requirements for licensure as a marriage and family therapist, as defined. administer the annual scholarship for purposes of increasing the number of culturally competent licensed marriage and family therapists, clinical social workers, professional clinical counselors, and psychologists, as specified.~~ The bill would require scholarship recipients to agree to work for county behavioral health agencies in meeting its needs and obligations to implement the CARE Act for a minimum of ~~3-years.~~ *years upon being licensed to practice in this state.* The bill would require the department to post information related to the scholarship on its internet website.

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. The Legislature finds and declares all of the
2 following:

3 (a) Mental health and homelessness remain critical issues for
4 the State of California, with over 150,000 homeless individuals,
5 many of whom are experiencing mental health issues. While the
6 Community Assistance, Recovery, and Empowerment (CARE)
7 Act was enacted to provide community-based behavioral health
8 services and supports to tackle these issues, California ~~cannot~~
9 ~~effectively implement the CARE Court program without increasing~~
10 *must increase* the number of mental health practitioners that are
11 willing to work for this program.

12 (b) Due to the costs of higher education in ~~mental and~~ behavioral
13 health, graduates are incentivized to work for private industry to
14 subsidize the costs of their education. As a result, very few mental
15 health practitioners work for the public at the state and county
16 level, making it increasingly difficult for the state to provide
17 adequate ~~mental and~~ behavioral health care to its vulnerable
18 citizens.

19 (c) California must increase the number of culturally competent,
20 licensed mental health practitioners that are trained and licensed
21 to diagnose mental health disorders among unhoused individuals
22 by incentivizing mental health practitioner graduates to work with
23 county behavioral ~~services~~ *health* agencies in implementing the
24 needs of the CARE Court program.

SEC. 2. Article 3.6 (commencing with Section 128460) is added to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, to read:

Article 3.6. Community Assistance, Recovery, and Empowerment (CARE) Scholarship Program

128460. (a) There is hereby created the Community Assistance, Recovery, and Empowerment (CARE) Scholarship Program within the department.

(b) The department shall administer an annual scholarship for purposes of increasing the number of culturally-competent, competent licensed marriage and family-therapists therapists, clinical social workers, professional clinical counselors, and psychologists needed to work for county behavioral health agencies to implement the CARE Act.

~~(c) The department shall make recommendations to the director concerning all of the following:~~

~~(1) A standard contractual agreement to be signed by the director and any licensed marriage and family therapist that would require the licensed marriage and family therapist who receives a scholarship under the program to serve in a county behavioral health agency in support of the county's CARE Act needs and obligations for a minimum of three years.~~

~~(2) The maximum allowable total scholarship amount per individual licensed marriage and family therapist.~~

~~(3) The maximum allowable annual scholarship amount per individual licensed marriage and family therapist.~~

~~(c) The department shall develop the necessary requirements to implement the scholarship program.~~

(d) Applicants for the scholarship shall meet all of the following requirements:

(1) The applicant is pursuing a degree program that meets the requirements for licensure as a marriage and family-therapist pursuant to Chapter 13 (commencing with Section 4980) of Division 2 of the Business and Professions Code. therapist, clinical social worker, professional clinical counselor, or psychologist pursuant to the laws of this state.

(2) The applicant agrees to work for a county behavioral health agency in support of the county's CARE Act needs and obligations

1 for a minimum of three years upon licensure as a marriage and
2 family therapist. *being licensed to practice in this state.*
3 (e) The department shall post information regarding the CARE
4 Scholarship Program on its internet website.
5 ~~(f) For purposes of this article, a “marriage and family therapist”~~
6 ~~is an individual licensed pursuant to Chapter 13 (commencing with~~
7 ~~Section 4980) of Division 2 of the Business and Professions Code.~~
8 ~~(g)~~
9 (f) This article shall be operative upon appropriation by the
10 Legislature.

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