

SENATE BILL 2301

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 63
and Title 68, relative to mental health
professionals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "Department" means the department of mental health and substance
abuse services;

(2) "Mental health professional" means a person who is licensed,
registered, certified, or otherwise permitted and holds the appropriate credentials
as determined by the person's regulatory authority to provide mental healthcare
services in this state as a:

(A) Clinical psychologist;

(B) Psychiatrist;

(C) Licensed clinical social worker;

(D) Licensed professional counselor; or

(E) Psychiatric mental health nurse practitioner; and

(3) "Mental health professional shortage area" means an area
designated as a healthcare provider shortage area for mental health by the
federal health resources and services administration.

(b) Subject to specific appropriation of funds by the general assembly, there is
created a mental health professional loan repayment grant program to incentivize mental

health professionals to practice in this state to provide services in primary care settings in mental health professional shortage areas.

(c) To be eligible for a mental health professional loan repayment grant, a mental health professional individual must, on the date the individual begins providing services pursuant to and throughout the term of the agreement:

(1) Hold a valid and active license and the necessary credentials to practice in this state;

(2) Be actively engaged in providing mental health services in a primary care setting in this state;

(3) Provide direct mental health services in a mental health professional shortage area to:

(A) Medicaid recipients;

(B) Enrollees in TennCare or the CoverKids program, or a successor program;

(C) Students in:

(i) A school district that is located partially or completely in a mental health professional shortage area;

(ii) An open enrollment charter school located in a mental health professional shortage area; or

(iii) A title I school;

(4) Apply to the department for a grant on forms provided by the department and in such manner as the department may require; and

(5) Enter into a contract with the department to provide mental health services in a mental health professional shortage area for at least three (3) years.

(d)

(1) The department shall administer the mental health professional loan repayment program and is authorized to promulgate rules for its management and administration. Rules must be promulgated in accordance with the uniform administrative procedures act, compiled in title 4, chapter 5.

(2) The department shall issue program monies to pay mental health professional loan repayment grants to grant recipients for the amount of principal, interest, and related expenses of the professional's educational loans, not to exceed the professional's total student loan indebtedness.

(3) Subject to the appropriation of sufficient funds and verification that a mental health professional meets the eligibility requirements in subsection (c), the department may award mental health professional loan repayment grants of the following amounts for up to six (6) years, as long as the sum of all mental health professional loan repayment grants made to a qualifying mental health professional do not exceed the mental health professional's total student loan indebtedness:

(A) Up to forty thousand dollars (\$40,000) per year if the mental health professional is a clinical psychologist or psychiatrist; and

(B) Up to twenty-five thousand dollars (\$25,000) per year if the mental health professional is a licensed clinical social worker, licensed professional counselor, or psychiatric mental health nurse practitioner.

(e) The department may use private donations, grants, federal monies, and appropriated state monies to implement, support, promote, or maintain the mental health professional loan repayment program.

(f) No later than February 1 of the calendar year following the first calendar year in which the department begins accepting applications for the mental health professional

loan repayment program, and by February 1 of each calendar year thereafter, the department shall submit an annual report to the governor, the chair of the education administration committee of the house of representatives, and the chair of the education committee of the senate detailing the number of professionals applying for and awarded grants pursuant to this section, including information regarding the number of applicants and grant recipients identified by a mental health professional shortage area.

(g) A mental health professional who receives a mental health professional loan repayment grant and breaches the contract created pursuant to subdivision (c)(5) is liable for liquidated damages in an amount equivalent to the amount that would be owed for default and any other penalties as determined by the department and authorized by law.

(h) The department shall not make an award of a mental health professional loan repayment grant under this section for services provided by a mental health professional prior to the date the professional's application for a grant pursuant to this section is accepted by the department.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.