

117TH CONGRESS  
1ST SESSION

# S. 1578

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.

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## IN THE SENATE OF THE UNITED STATES

MAY 12, 2021

Ms. SMITH (for herself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## 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 of  
6 2021”.

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

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

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

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

9 **“PART G—MENTAL HEALTH PROFESSIONALS IN**  
 10 **WORKFORCE SHORTAGE**  
 11 **“SEC. 783. LOAN REPAYMENT PROGRAM FOR MENTAL**  
 12 **HEALTH PROFESSIONALS IN WORKFORCE**  
 13 **SHORTAGES.**

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

17 “(1) the Secretary enters into agreements with  
 18 individuals to make payments in accordance with  
 19 subsection (b) on the principal of and interest on  
 20 any eligible loan; and

21 “(2) the individuals each agree to complete a  
 22 period of service in a mental health professional  
 23 shortage area.

24 “(b) PAYMENTS.—For each year of obligated service  
 25 by an individual pursuant to an agreement under sub-

1 section (a), the Secretary shall make a payment to such  
2 individual as follows:

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

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

11 “(B) for completion of the sixth and final  
12 year of such service, the remainder of such  
13 principal and interest.

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

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

19 “(1) Any loan for education in mental health or  
20 a related field leading to a master’s degree, leading  
21 to a doctoral degree, or consisting of post-doctoral  
22 study.

23 “(2) Any Federal Direct Stafford Loan, Fed-  
24 eral Direct PLUS Loan, or Federal Direct Unsub-  
25 sidized Stafford Loan, or Federal Direct Consolida-

1       tion Loan (as such terms are used in section 455 of  
2       the Higher Education Act of 1965).

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

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

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

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

16           “(1) this subsection; and

17           “(2) any federally supported loan forgiveness  
18      program, including under section 338B, 338I, or  
19      846 of this Act, or section 428J, 428L, 455(m), or  
20      460 of the Higher Education Act of 1965.

21      “(f) BREACH.—

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

1           “(2) LIMITATION.—The failure by an individual  
2           to complete the full period of service obligated pur-  
3           suant to such an agreement, taken alone, shall not  
4           constitute a breach of the agreement, so long as the  
5           individual completed in good faith the years of serv-  
6           ice for which payments were made to the individual  
7           under this section.

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

9           “(1) may establish such criteria and rules to  
10          carry out this section as the Secretary determines  
11          are needed and in addition to the criteria and rules  
12          specified in this section; and

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

16          “(h) REPORT TO CONGRESS.—Not later than 5 years  
17          after the date of enactment of the Mental Health Profes-  
18          sionals Workforce Shortage Loan Repayment Act of 2021,  
19          and every other year thereafter, the Secretary shall pre-  
20          pare and submit to the Committee on Energy and Com-  
21          merce of the House of Representatives and the Committee  
22          on Health, Education, Labor, and Pensions of the Senate  
23          a report on—

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

4           “(2) the impact of this section on the avail-  
5           ability of mental health services in mental health  
6           professional shortage areas.

7           “(i) DEFINITION.—In this section:

8           “(1) The term ‘mental health professional’  
9           means a full-time job (including a fellowship) where  
10          the primary intent and function of the job is the di-  
11          rect treatment or recovery support of patients with  
12          or in recovery from a mental health disorder, such  
13          as a physician (MD or DO), psychiatric nurse, social  
14          worker, marriage and family therapist, mental  
15          health counselor, occupational therapist, psycholo-  
16          gist, psychiatrist, child and adolescent psychiatrist,  
17          or neurologist.

18          “(2) The term ‘mental health professional  
19          shortage area’ means—

20                 “(A) an area designated under section 332  
21                 with respect to a shortage of mental health pro-  
22                 fessionals; or

23                 “(B) any facility, program, center, or clinic  
24                 as determined appropriate by the Secretary for  
25                 purposes of this section because of a shortage

1 of mental health professionals, including private  
2 physician practices and other medical facilities  
3 designated under section 332(a) as having such  
4 a shortage.

5 “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
6 are authorized to be appropriated to carry out this section  
7 \$25,000,000 for each of fiscal years 2022 through 2031.”.

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