

House Bill 1077

By: Representatives Cooper of the 45th, Newton of the 127th, Hawkins of the 27th, Silcox of the 53rd, and Parrish of the 158th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the
2 Georgia Board of Health Care Workforce, so as to create a grant program to provide funding
3 to eligible institutions for additional behavioral health workforce training positions; to
4 provide for definitions; to provide for eligibility criteria; to provide for funding sources; to
5 provide for applications; to provide for funding limitations; to create a behavioral health
6 provider loan repayment program; to provide for definitions; to provide for written contracts
7 with program participants; to provide for payment criteria; to provide for maximum amounts;
8 to provide for prioritization of applications; to provide for related matters; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the Georgia
13 Board of Health Care Workforce, is amended by adding new Code sections to read as
14 follows:

15 "49-10-7.

16 (a) As used in this Code section, the term:

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17 (1) 'Clinical behavioral health training program' means a program that consists of the
18 following types of training for the following types of behavioral health providers:

19 (A) Residency training for physicians specializing in psychiatry or any subspecialty of
20 psychiatry;

21 (B) Residency training for physicians specializing in addiction medicine;

22 (C) Clinical training for psychologists;

23 (D) Clinical training for social workers;

24 (E) Clinical training for professional counselors;

25 (F) Clinical training for marriage and family therapists; and

26 (G) Any other type of clinical training of behavioral health providers the board deems
27 relevant and applicable.

28 (2) 'Eligible institution' means any hospital, school, or consortium located in this state
29 that sponsors and maintains primary organizational and financial responsibility for
30 clinical behavioral health training programs in this state and which are accountable to an
31 accrediting organization recognized by the United States Department of Education, the
32 federal Centers for Medicare and Medicaid Services, or another national body that
33 reviews accrediting organizations for multiple disciplines and whose standards for
34 recognizing accrediting organizations are reviewed and approved by the board.

35 (b) Subject to appropriations, the board shall distribute funds to eligible institutions that
36 sponsor clinical behavioral health training programs for the purpose of increasing the
37 number of training positions within such clinical behavioral health training programs at
38 each eligible institution that receives funding from the board.

39 (c) The board shall establish criteria for approving and distributing funds under
40 subsection (b) of this Code section and evaluate the following factors when establishing
41 such criteria and reviewing and prioritizing applications for such funds:

- 42 (1) The current supply of each type of behavioral health provider identified in
43 paragraph (1) of subsection (a) of this Code section throughout the state to the extent it
44 is practicable for the board to determine such supply;
- 45 (2) The current demand for services furnished by each type of behavioral health provider
46 identified in paragraph (1) of subsection (a) of this Code section throughout the state to
47 the extent it is practicable for the board to determine such demand;
- 48 (3) The anticipated future supply of each type of behavioral health provider identified
49 in paragraph (1) of subsection (a) of this Code section to the extent it is practicable for
50 the board to determine such future supply;
- 51 (4) The current aggregate number of training positions for each type of behavioral health
52 provider identified in paragraph (1) of subsection (a) of this Code section at eligible
53 institutions in this state;
- 54 (5) The percentage of behavioral health provider trainees identified in paragraph (1) of
55 subsection (a) of this Code section who successfully complete the type or types of clinical
56 behavioral health training programs for which the eligible institution is seeking funding
57 under subsection (b) of this Code section; and
- 58 (6) Any other factors the board deems relevant and practicable.
- 59 (d) The funds distributed pursuant to subsection (b) of this Code section for clinical
60 behavioral health training programs shall consist of appropriations by the General
61 Assembly and federal medical assistance matching funds, if applicable.
- 62 (e) The board, through the Department of Community Health, shall:
- 63 (1) Seek new federal medical assistance matching funding to contribute to the funds
64 distributed under subsection (b) of this Code section; or
- 65 (2) Seek increased federal medical assistance matching funding within any existing
66 arrangement under which federal medical assistance matching funding contributes to state
67 funding of clinical behavioral health training programs.

68 (f) Applications to receive funding under subsection (b) of this Code section shall be
69 submitted to the board by an eligible institution and received in accordance with a timeline
70 determined by the board, and such applications shall be in the form and manner determined
71 by the board.

72 (g) Funds distributed pursuant to subsection (b) of this Code section shall not be used to
73 displace current funding from federal, state, local, or private sources.

74 49-10-8.

75 (a) As used in this Code section, the term:

76 (1) 'Behavioral health provider' or 'provider' means the following:

77 (A) A psychiatrist licensed under Chapter 34 of Title 43;

78 (B) An addiction medicine physician licensed under Chapter 34 of Title 43;

79 (C) A psychologist licensed under Chapter 39 of Title 43;

80 (D) A social worker licensed under Chapter 10A of Title 43;

81 (E) A professional counselor licensed under Chapter 10A of Title 43;

82 (F) A marriage and family therapist licensed under Chapter 10A of Title 43; and

83 (G) Any other type of behavioral health provider that the board determines is relevant
84 and appropriate.

85 (2) 'Eligible applicant' means a behavioral health provider who:

86 (A) Is a resident of this state;

87 (B) Agrees to meet the requirements of subsection (d) of this Code section;

88 (C) Agrees to have his or her student loan debt verified by the board for the purposes
89 of determining the prioritization of applicants provided in subsection (f) of this Code
90 section;

91 (D) Agrees to have his or her billing records inspected by the board for the purposes
92 of determining if he or she is meeting the requirements provided in subsection (d) of

93 this Code section and for the purposes of satisfying the requirements provided in
94 subsection (g) of this Code section; and
95 (E) Has no history of disciplinary actions or sanctions by the relevant licensing or
96 certifying provider board.

97 (3) 'Eligible student loan expenses' means debt incurred by an eligible applicant that is:
98 (A) Evidenced by a promissory note which required the funds received to be used to
99 pay for the cost of tuition and reasonable education and living expenses relating to
100 obtaining an undergraduate, graduate, doctoral, medical, or professional degree for use
101 as a behavioral health provider, including a government or commercial loan;
102 (B) Not in default at the time of application for repayment under this Code section; and
103 (C) Not subject to an existing service obligation or to repayment through another
104 student loan repayment program or as a condition of employment.

105 (4) 'Program' means the Behavioral Health Provider Student Loan Repayment Program
106 established pursuant to subsection (b) of this Code section.

107 (b) The board shall establish and administer the Behavioral Health Provider Student Loan
108 Repayment Program that shall provide for the repayment of a portion of the eligible student
109 loan expenses of behavioral health providers participating in the program for each period
110 of service that meets the requirements of this Code section.

111 (c) Each program participant shall enter into a written contract with the board that specifies
112 the total amount of eligible student loan expenses of such participant that may be repaid
113 by the board if the requirements contained in subsection (d) of this Code section are met.

114 (d) Subject to appropriations, program participants shall be eligible to receive loan
115 repayment assistance pursuant to the program for any qualifying year, not to exceed six
116 years in total loan repayment, up to the following amounts, under the following terms:
117 (1) \$10,000 for a year in which the provider can demonstrate to the board through billing
118 records that at least 25 percent of the provider's patients or clients were Medicaid

119 recipients and for which payment was furnished by the state's medical assistance program
120 and not by other means;

121 (2) \$10,000 for a year in which the board can verify that the provider was a full-time
122 contract employee providing behavioral health services at a facility or practice for which
123 the board can verify that at least 25 percent of the facility or practice's patients or clients
124 were Medicaid recipients and for which payment was furnished by the state's medical
125 assistance program and not by other means;

126 (3) \$25,000 for a year in which the provider can demonstrate to the board through billing
127 records that at least 50 percent of the provider's patients or clients were Medicaid
128 recipients and for which payment was furnished by the state's medical assistance program
129 and not by other means;

130 (4) \$25,000 for a year in which the board can verify that the provider was a full-time
131 contract employee providing behavioral health services at a facility or practice for which
132 the board can verify that at least 50 percent of the facility or practice's patients or clients
133 were Medicaid recipients and for which payment was furnished by the state's medical
134 assistance program and not by other means;

135 (5) If a provider meets the requirements of paragraph (1), (2), (3), or (4) of this
136 subsection for a third consecutive year, \$20,000 towards loan repayment in addition to
137 whichever amount the provider is entitled to for meeting the requirements of
138 paragraph (1), (2), (3), or (4) of this subsection for that year, provided that a provider may
139 only qualify for repayment under this paragraph one time; and

140 (6) If a provider meets the requirements of paragraph (1), (2), (3), or (4) of this
141 subsection or any combination of such paragraphs of this subsection for a sixth
142 consecutive year, \$50,000 towards loan repayment in addition to whichever amount the
143 provider is entitled to for meeting the requirements of paragraph (1), (2), (3), or (4) of this
144 subsection for that year.

145 (e) A program participant shall receive not more than \$220,000 in total loan repayment
146 assistance pursuant to this Code section and shall not receive any loan repayment assistance
147 pursuant to this Code section that is more than the total amount of student loan debt owed
148 by the provider as of the date the application is submitted.

149 (f) The board shall evaluate the following factors for the purposes of prioritizing and
150 approving applications from eligible applicants for loan repayment assistance under the
151 program:

152 (1) The total amount of eligible student loan expenses owed by an eligible applicant at
153 the time of application submission;

154 (2) The current supply of each type of behavioral health provider throughout the state,
155 to the extent it is practicable for the board to determine such supply;

156 (3) The current demand for services furnished by each type of behavioral health provider
157 throughout the state, to the extent it is practicable for the board to determine such
158 demand;

159 (4) The current participation rate in the medical assistance program of each type of
160 behavioral health provider, to the extent it is practicable for the board to determine such
161 participation rate;

162 (5) Whether the eligible applicant attended in-state institutions of higher education; and

163 (6) Any other factors the board determines are relevant, applicable, and practicable.

164 (g) The board shall ensure by examining billing records that at least 50 percent of all
165 applications approved are for eligible applicants who would not have met the Medicaid
166 patient or client thresholds described in paragraph (1), (2), (3), or (4) of subsection (d) of
167 this Code section during the previous three calendar years."

168 **SECTION 2.**

169 All laws and parts of laws in conflict with this Act are repealed.