

**SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION**

S.F. No. 3811

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DATE
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D-PG

Introduction and first reading
Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health care; expanding the health professional education loan forgiveness
1.3 program to include psychologists who agree to provide clinical services to treat
1.4 mental health; requiring the commissioner of health to award grants to cover the
1.5 cost of meeting certain supervision requirements; authorizing supervision
1.6 requirements for certain licenses to be satisfied through real-time, two-way
1.7 interactive audio and visual communication; appropriating money; amending
1.8 Minnesota Statutes 2021 Supplement, section 144.1501, subdivisions 1, 2, 3; Laws
1.9 2021, First Special Session chapter 7, article 3, sections 22; 23; 24; proposing
1.10 coding for new law in Minnesota Statutes, chapters 144; 214.

1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.12 Section 1. Minnesota Statutes 2021 Supplement, section 144.1501, subdivision 1, is
1.13 amended to read:

1.14 Subdivision 1. **Definitions.** (a) For purposes of this section, the following definitions
1.15 apply.

1.16 (b) "Advanced dental therapist" means an individual who is licensed as a dental therapist
1.17 under section 150A.06, and who is certified as an advanced dental therapist under section
1.18 150A.106.

1.19 (c) "Alcohol and drug counselor" means an individual who is licensed as an alcohol and
1.20 drug counselor under chapter 148F.

1.21 (d) "Dental therapist" means an individual who is licensed as a dental therapist under
1.22 section 150A.06.

1.23 (e) "Dentist" means an individual who is licensed to practice dentistry.

2.1 (f) "Designated rural area" means a statutory and home rule charter city or township that
2.2 is outside the seven-county metropolitan area as defined in section 473.121, subdivision 2,
2.3 excluding the cities of Duluth, Mankato, Moorhead, Rochester, and St. Cloud.

2.4 (g) "Emergency circumstances" means those conditions that make it impossible for the
2.5 participant to fulfill the service commitment, including death, total and permanent disability,
2.6 or temporary disability lasting more than two years.

2.7 (h) "Mental health professional" means an individual providing clinical services in the
2.8 treatment of mental illness who is qualified in at least one of the ways specified in section
2.9 245.462, subdivision 18.

2.10 (i) "Medical resident" means an individual participating in a medical residency in family
2.11 practice, internal medicine, obstetrics and gynecology, pediatrics, or psychiatry.

2.12 (j) "Midlevel practitioner" means a nurse practitioner, nurse-midwife, nurse anesthetist,
2.13 advanced clinical nurse specialist, or physician assistant.

2.14 (k) "Nurse" means an individual who has completed training and received all licensing
2.15 or certification necessary to perform duties as a licensed practical nurse or registered nurse.

2.16 (l) "Nurse-midwife" means a registered nurse who has graduated from a program of
2.17 study designed to prepare registered nurses for advanced practice as nurse-midwives.

2.18 (m) "Nurse practitioner" means a registered nurse who has graduated from a program
2.19 of study designed to prepare registered nurses for advanced practice as nurse practitioners.

2.20 (n) "Pharmacist" means an individual with a valid license issued under chapter 151.

2.21 (o) "Physician" means an individual who is licensed to practice medicine in the areas
2.22 of family practice, internal medicine, obstetrics and gynecology, pediatrics, or psychiatry.

2.23 (p) "Physician assistant" means a person licensed under chapter 147A.

2.24 (q) "Psychologist" means an individual who is licensed as a psychologist under sections
2.25 148.88 to 148.98.

2.26 ~~(r)~~ (r) "Public health nurse" means a registered nurse licensed in Minnesota who has
2.27 obtained a registration certificate as a public health nurse from the Board of Nursing in
2.28 accordance with Minnesota Rules, chapter 6316.

2.29 ~~(s)~~ (s) "Qualified educational loan" means a government, commercial, or foundation
2.30 loan for actual costs paid for tuition, reasonable education expenses, and reasonable living
2.31 expenses related to the graduate or undergraduate education of a health care professional.

3.1 ~~(s)~~ (t) "Underserved urban community" means a Minnesota urban area or population
 3.2 included in the list of designated primary medical care health professional shortage areas
 3.3 (HPSAs), medically underserved areas (MUAs), or medically underserved populations
 3.4 (MUPs) maintained and updated by the United States Department of Health and Human
 3.5 Services.

3.6 Sec. 2. Minnesota Statutes 2021 Supplement, section 144.1501, subdivision 2, is amended
 3.7 to read:

3.8 Subd. 2. **Creation of account.** (a) A health professional education loan forgiveness
 3.9 program account is established. The commissioner of health shall use money from the
 3.10 account to establish a loan forgiveness program:

3.11 (1) for medical residents, mental health professionals, and alcohol and drug counselors
 3.12 agreeing to practice in designated rural areas or underserved urban communities or
 3.13 specializing in the area of pediatric psychiatry;

3.14 (2) for midlevel practitioners agreeing to practice in designated rural areas or to teach
 3.15 at least 12 credit hours, or 720 hours per year in the nursing field in a postsecondary program
 3.16 at the undergraduate level or the equivalent at the graduate level;

3.17 (3) for nurses who agree to practice in a Minnesota nursing home; an intermediate care
 3.18 facility for persons with developmental disability; a hospital if the hospital owns and operates
 3.19 a Minnesota nursing home and a minimum of 50 percent of the hours worked by the nurse
 3.20 is in the nursing home; ~~a housing with services establishment as defined in section 144D.01,~~
 3.21 ~~subdivision 4~~ an assisted living facility under chapter 144G; or for a home care provider as
 3.22 defined in section 144A.43, subdivision 4; or agree to teach at least 12 credit hours, or 720
 3.23 hours per year in the nursing field in a postsecondary program at the undergraduate level
 3.24 or the equivalent at the graduate level;

3.25 (4) for other health care technicians agreeing to teach at least 12 credit hours, or 720
 3.26 hours per year in their designated field in a postsecondary program at the undergraduate
 3.27 level or the equivalent at the graduate level. The commissioner, in consultation with the
 3.28 Healthcare Education-Industry Partnership, shall determine the health care fields where the
 3.29 need is the greatest, including, but not limited to, respiratory therapy, clinical laboratory
 3.30 technology, radiologic technology, and surgical technology;

3.31 (5) for pharmacists, advanced dental therapists, dental therapists, and public health nurses
 3.32 who agree to practice in designated rural areas; ~~and~~

4.1 (6) for dentists agreeing to deliver at least 25 percent of the dentist's yearly patient
 4.2 encounters to state public program enrollees or patients receiving sliding fee schedule
 4.3 discounts through a formal sliding fee schedule meeting the standards established by the
 4.4 United States Department of Health and Human Services under Code of Federal Regulations,
 4.5 title 42, section 51, chapter 303-; and

4.6 (7) for psychologists, mental health professionals, nurse practitioners certified in
 4.7 psychiatric or mental health nursing, and alcohol and drug counselors who agree to provide
 4.8 clinical services to treat mental illness.

4.9 (b) Appropriations made to the account do not cancel and are available until expended,
 4.10 except that at the end of each biennium, any remaining balance in the account that is not
 4.11 committed by contract and not needed to fulfill existing commitments shall cancel to the
 4.12 fund.

4.13 Sec. 3. Minnesota Statutes 2021 Supplement, section 144.1501, subdivision 3, is amended
 4.14 to read:

4.15 Subd. 3. **Eligibility.** (a) To be eligible to participate in the loan forgiveness program, an
 4.16 individual must:

4.17 (1) be a medical or dental resident; a licensed pharmacist; a licensed psychologist; or
 4.18 be enrolled in a training or education program to become a dentist, dental therapist, advanced
 4.19 dental therapist, psychologist, mental health professional, alcohol and drug counselor,
 4.20 pharmacist, public health nurse, midlevel practitioner, registered nurse, or a licensed practical
 4.21 nurse. The commissioner may also consider applications submitted by graduates in eligible
 4.22 professions who are licensed and in practice; and

4.23 (2) submit an application to the commissioner of health.

4.24 (b) An applicant selected to participate must sign a contract to agree to serve a minimum
 4.25 three-year full-time service obligation according to subdivision 2, which shall begin no later
 4.26 than March 31 following completion of required training, with the exception of a nurse,
 4.27 who must agree to serve a minimum two-year full-time service obligation according to
 4.28 subdivision 2, which shall begin no later than March 31 following completion of required
 4.29 training.

4.30 Sec. 4. [144.1507] SUPERVISION GRANT PROGRAM.

4.31 Subdivision 1. Establishment. The commissioner of health shall award grants to eligible
 4.32 individuals for the purpose of subsidizing any cost incurred or required to be incurred by

5.1 the individual in meeting the supervision requirements associated with obtaining a license
5.2 or meeting the qualification requirements to become a mental health professional as defined
5.3 under section 245.462. To be eligible for a grant, an individual must be in the process of
5.4 qualifying to become a mental health professional as defined under section 245.462,
5.5 subdivision 18, or must be an applicant for one of the following:

5.6 (1) an independent clinical social worker licensed by the Board of Social Work under
5.7 chapter 148E;

5.8 (2) a psychologist licensed by the Board of Psychology under sections 148.88 to 148.98
5.9 in marriage and family therapy, or a person licensed as a marriage and family therapist by
5.10 the Minnesota Board of Marriage and Family Therapy under sections 148B.29 to 148B.39,
5.11 and defined in Minnesota Rules, parts 5300.0100 to 5300.0350;

5.12 (3) a marriage and family therapist licensed by the Board of Behavioral Health and
5.13 Therapy under sections 148B.29 to 148B.39;

5.14 (4) a professional counselor licensed by the Board of Behavioral Health and Therapy
5.15 under sections 148B.50 to 148.593;

5.16 (5) an advanced practice registered nurse certified in psychiatric and mental health
5.17 nursing and licensed by the Board of Nursing under sections 148.171 to 148.285; or

5.18 (6) an alcohol and drug counselor licensed by the Board of Behavioral Health and
5.19 Therapy under chapter 148F.

5.20 Subd. 2. **Application.** An eligible individual seeking a grant must submit an application
5.21 to the commissioner. The application must include a copy of the contract or agreement
5.22 between the eligible individual or supervisee and the supervisor providing the required
5.23 supervision. The contract or agreement must include a description of the supervision
5.24 provided, the total number of hours of supervision that was provided, and the amount to be
5.25 compensated to the supervisor for providing the supervision. In considering applicants, the
5.26 commissioner shall give preference to applicants who document diverse cultural
5.27 competencies. The applicants are responsible for completing the required supervision and
5.28 securing the necessary supervisors.

5.29 Subd. 3. **Grant amounts.** The amount of the grant shall not exceed the cost necessary
5.30 to cover the supervision required for licensure or to qualify as a mental health professional.
5.31 The commissioner shall award grants proportionally among the eligible professions.

5.32 Subd. 4. **Penalty for nonfulfillment.** The grantee must provide the commissioner with
5.33 verification that the supervision was provided and the amount paid. If a grantee does not

6.1 fulfill the required supervision after receiving a grant under this section, the commissioner
 6.2 shall collect from the grantee the total amount paid to the grantee under this program plus
 6.3 interest at the rate established according to section 270C.40. Any money collected under
 6.4 this subdivision must be deposited in the general fund. The commissioner may allow waivers
 6.5 of all or part of the money owed to the commissioner as a result of a nonfulfillment penalty
 6.6 if emergency circumstances prevent the fulfillment of the supervision requirement.

6.7 Sec. 5. **[214.065] SUPERVISION REQUIREMENTS.**

6.8 Notwithstanding any other law to the contrary, a health-related licensing board shall
 6.9 permit any supervision requirements for licensure to be satisfied through real-time, two-way,
 6.10 interactive audio and visual communication.

6.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

6.12 Sec. 6. Laws 2021, First Special Session chapter 7, article 3, section 22, the effective date,
 6.13 is amended to read:

6.14 **EFFECTIVE DATE.** This section is effective July 1, ~~2025~~ 2022.

6.15 Sec. 7. Laws 2021, First Special Session chapter 7, article 3, section 23, the effective date,
 6.16 is amended to read:

6.17 **EFFECTIVE DATE.** This section is effective July 1, ~~2025~~ 2022.

6.18 Sec. 8. Laws 2021, First Special Session chapter 7, article 3, section 24, the effective date,
 6.19 is amended to read:

6.20 **EFFECTIVE DATE.** This section is effective July 1, ~~2025~~ 2022.

6.21 Sec. 9. **HEALTH PROFESSIONAL EDUCATION LOAN FORGIVENESS**
 6.22 **PROGRAM; APPROPRIATION.**

6.23 \$14,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner
 6.24 of health for the health professional education loan forgiveness program. Notwithstanding
 6.25 the priorities and distribution requirements under Minnesota Statutes, section 144.1501, the
 6.26 commissioner shall distribute these funds proportionally among the eligible professionals
 6.27 listed in Minnesota Statutes, section 144.1501, subdivision 2, paragraph (a), clause (7). The
 6.28 general fund base for this appropriation is \$14,000,000.