

117TH CONGRESS  
2D SESSION

# H. R. 9469

To authorize a Mental Health Education Grant program to encourage students to pursue a career as a counselor, social worker, or therapist in an elementary or secondary school, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2022

Mr. EMMER introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize a Mental Health Education Grant program to encourage students to pursue a career as a counselor, social worker, or therapist in an elementary or secondary school, 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 “Student Mental Health  
5 Improvement Act of 2022”.

1 **SEC. 2. MENTAL HEALTH EDUCATION GRANT PROGRAM.**

2 Part A of title IV of the Higher Education Act of  
3 1965 (20 U.S.C. 1070 et seq.) is amended by inserting  
4 at the end of subpart 7 the following:

5 **“Subpart 8—Mental Health Education Grants**

6 **“SEC. 420. MENTAL HEALTH EDUCATION GRANT PROGRAM**

7 **ESTABLISHED.**

8 “(a) PROGRAM AUTHORITY.—

9 “(1) PAYMENTS REQUIRED.—The Secretary is  
10 authorized to carry out a Mental Health Education  
11 Grant program to pay to each candidate who is se-  
12 lected by the Secretary, on a competitive basis, to  
13 participate in such program, a Mental Health Edu-  
14 cation Grant in the amount of \$2,000 for each year  
15 during which that candidate is eligible.

16 “(2) REFERENCES.—Grants made under para-  
17 graph (1) shall be known as ‘Mental Health Edu-  
18 cation Grants’.

19 “(3) AUTHORIZATION.—There are authorized to  
20 be appropriated \$20,000,000 for fiscal year 2023  
21 and each subsequent fiscal year to provide Mental  
22 Health Education Grants in accordance with this  
23 subpart.

24 “(4) SENSE OF CONGRESS.—It is the sense of  
25 Congress that the Mental Health Education Grant  
26 program should be funded by rescinding unused

1 American Rescue Plan Act of 2021 (Public Law  
2 117–2) funding.

3 “(b) DISTRIBUTION OF GRANTS TO CANDIDATES.—

4 Payments under this subpart shall be made, in accordance  
5 with regulations promulgated by the Secretary for such  
6 purpose, in such manner as will best accomplish the pur-  
7 poses of this subpart.

8 “(c) REDUCTIONS IN AMOUNT.—

9 “(1) PART-TIME STUDENTS.—In any case  
10 where a candidate attends an eligible institution on  
11 less than a full-time basis (including a candidate  
12 who attends an eligible institution on less than a  
13 half-time basis) during any year, the amount of a  
14 grant under this subpart for which that candidate is  
15 eligible shall be reduced in proportion to the degree  
16 to which that candidate is not attending on a full-  
17 time basis, in accordance with a schedule of reduc-  
18 tions established by the Secretary for the purposes  
19 of this subpart, computed in accordance with this  
20 subpart. Such schedule of reductions shall be estab-  
21 lished by regulation and published in the Federal  
22 Register in accordance with section 482 of this Act.

23 “(2) NO EXCEEDING COST.—The amount of a  
24 grant awarded under this subpart, in combination  
25 with Federal student assistance and other student

1 assistance the candidate may receive, shall not ex-  
2 ceed the cost of attendance (as defined in section  
3 472) at the eligible institution at which that can-  
4 didate is in attendance.

5 “(d) PERIOD OF ELIGIBILITY FOR GRANTS.—

6 “(1) IN GENERAL.—The period during which a  
7 candidate may receive grants under this subpart  
8 shall be the period required for the completion of the  
9 first masters course of study related to a mental  
10 health occupation being pursued by the candidate at  
11 the eligible institution at which the candidate is in  
12 attendance, except that—

13 “(A) any period during which the can-  
14 didate is enrolled in a noncredit or remedial  
15 course of study as described in paragraph (2)  
16 shall not be counted for the purpose of this  
17 paragraph; and

18 “(B) the total amount that a candidate  
19 may receive under this subpart shall not exceed  
20 \$4,000.

21 “(2) REMEDIAL COURSE.—Nothing in this sub-  
22 part shall be construed to exclude from eligibility  
23 courses of study which are noncredit or remedial in  
24 nature (including courses in English language acqui-  
25 sition) which are determined by the eligible institu-

1       tion to be necessary to help the candidate be pre-  
2       pared for the pursuit of a first masters degree or,  
3       in the case of courses in English language instruc-  
4       tion, to be necessary to enable the candidate to uti-  
5       lize already existing knowledge, training, or skills.

6       **“SEC. 421. APPLICATIONS; ELIGIBILITY; SELECTION.**

7       “(a) APPLICATIONS.—The Secretary shall periodi-  
8       cally set dates by which students shall file applications to  
9       complete for grants under this subpart. Each student de-  
10      siring to compete for a grant under this subpart for any  
11      year shall file an application containing such information  
12      and assurances as the Secretary may determine necessary  
13      to enable the Secretary to carry out the functions and re-  
14      sponsibilities of this subpart.

15      “(b) DEMONSTRATION OF GRANT ELIGIBILITY.—  
16      Each application submitted under subsection (a) shall con-  
17      tain such information as is necessary to demonstrate that  
18      the applicant is a student who—

19              “(1) is enrolled at an eligible institution;

20              “(2) is an eligible student for purposes of sec-  
21      tion 484;

22              “(3) is completing coursework and other re-  
23      quirements necessary to begin a career in a mental  
24      health occupation, or plans to complete such

1 coursework and requirements prior to graduating;  
2 and

3 “(4) has not obtained a masters degree related  
4 to a career in a mental health occupation before re-  
5 ceiving a Mental Health Education grant.

6 “(c) SELECTION.—The Secretary shall award grants  
7 under this subpart competitively on the basis of criteria  
8 determined by the Secretary by regulation.

9 **“SEC. 422. AGREEMENTS TO SERVE.**

10 “(a) SERVICE AGREEMENTS.—Each application  
11 under section 421(a) shall contain or be accompanied by  
12 an agreement by the applicant that—

13 “(1) if selected to be a candidate, the applicant  
14 will—

15 “(A) serve full-time in a mental health oc-  
16 cupation for a total of not less than 4 years  
17 within 8 years after completing the course of  
18 study for which the candidate received a Mental  
19 Health Education Grant under this subpart;  
20 and

21 “(B) submit evidence of such employment  
22 in the form of a certification by the State edu-  
23 cational agency or department employing the  
24 candidate upon completion of each year of such  
25 service;

1           “(2) in the event that a candidate is determined  
2           to have failed or refused to carry out such service  
3           obligation, the sum of the amounts of any Mental  
4           Health Education Grants received by such candidate  
5           will be treated as a loan and collected from the can-  
6           didate in accordance with subsection (b) and the  
7           regulations thereunder; and

8           “(3) contains, or is accompanied by, a plain-  
9           language disclosure form developed by the Secretary  
10          that clearly describes the nature of the Mental  
11          Health Education Grant award, the service obliga-  
12          tion, and the loan repayment requirements that are  
13          the consequence of the failure to complete the serv-  
14          ice obligation.

15          “(b) REPAYMENT FOR FAILURE TO COMPLETE  
16          SERVICE.—

17                 “(1) IN GENERAL.—In the event that a can-  
18                 didate fails or refuses to comply with the service ob-  
19                 ligation in the agreement under subsection (a), the  
20                 sum of the amounts of any Mental Health Education  
21                 Grants received by such candidate shall, upon a de-  
22                 termination of such a failure or refusal in such serv-  
23                 ice obligation, be treated as a Federal Direct Unsub-  
24                 sidized Stafford Loan under part D of title IV, and  
25                 shall be subject to repayment, together with interest

1 thereon accruing from the date the grant is con-  
2 verted to such a Loan, in accordance with terms and  
3 conditions specified by the Secretary in regulations  
4 under this subpart.

5 “(2) EXTENUATING CIRCUMSTANCES.—The  
6 Secretary shall establish, by regulation, categories of  
7 extenuating circumstances under which a candidate  
8 who is unable to fulfill all or part of the candidate’s  
9 service obligation may be excused from fulfilling that  
10 portion of the service obligation.

11 **“SEC. 423. DEFINITIONS.**

12 “For the purposes of this subpart:

13 “(1) CANDIDATE.—The term ‘candidate’ means  
14 an individual who is selected by the Secretary to re-  
15 ceive a Mental Health Education Grant under this  
16 subpart.

17 “(2) ELIGIBLE INSTITUTION.—The term ‘eligi-  
18 ble institution’ means an institution of higher edu-  
19 cation, as defined in section 102, that provides a  
20 masters degree in a field related to a mental health  
21 occupation.

22 “(3) ESEA TERMS.—The terms ‘elementary  
23 school’ and ‘secondary school’ have the meanings  
24 given those terms in section 8101 of the Elementary



1 and Secondary Education Act of 1965 (20 U.S.C.  
2 7801).

3 “(4) MENTAL HEALTH OCCUPATION.—The  
4 term ‘mental health occupation’ means an occupa-  
5 tion that is 1 of the following:

6 “(A) A mental or behavioral health coun-  
7 selor in an elementary school or secondary  
8 school.

9 “(B) A social worker in an elementary  
10 school or secondary school.

11 “(C) A therapist in an elementary school  
12 or secondary school.

13 “(D) A psychologist in an elementary  
14 school or secondary school.”.

15 **SEC. 3. REFUNDABLE CREDIT FOR SCHOOL COUNSELORS,**  
16 **SOCIAL WORKERS, THERAPISTS, AND PSY-**  
17 **CHOLOGISTS.**

18 (a) IN GENERAL.—Subpart C of part IV of sub-  
19 chapter A of chapter 1 of the Internal Revenue Code of  
20 1986 is amended by adding at the end the following new  
21 section:

1 **“SEC. 36C. CREDIT FOR SCHOOL COUNSELORS, SOCIAL**  
2 **WORKERS, THERAPISTS, AND PSYCHOLO-**  
3 **GISTS.**

4 “(a) IN GENERAL.—In the case of any individual who  
5 is a qualified school-based mental health professional for  
6 any taxable year, there shall be allowed as a credit against  
7 the tax imposed by this subtitle for such taxable year an  
8 amount equal to \$2,500.

9 “(b) QUALIFIED SCHOOL-BASED MENTAL HEALTH  
10 PROFESSIONAL.—For purposes of this section, the term  
11 ‘qualified school-based mental health professional’ means  
12 any employee of a school (as defined in section  
13 62(d)(1)(B)) or school-based health center who provides  
14 service as a mental or behavioral health counselor, social  
15 worker, therapist, or psychologist pursuant to such em-  
16 ployment.

17 “(c) REDUCED CREDIT FOR LESS THAN FULL-TIME  
18 SERVICE.—In the case any qualified school-based mental  
19 health professional who performs less than 1560 hours of  
20 service as a counselor, social worker, or therapist pursuant  
21 to the employment described in subsection (b) during any  
22 taxable year, the credit allowed under this section to such  
23 individual for such taxable year shall not exceed the  
24 amount which bears the same ratio to the amount of such  
25 credit determined without regard to this subsection as—

1           “(1) the number of hours of such service so  
2 performed by such individual during such taxable  
3 year, bears to

4           “(2) 1560.”.

5           (b) CONFORMING AMENDMENTS.—

6           (1) Section 6211(b)(4)(A) of the Internal Rev-  
7 enue Code of 1986 is amended by inserting “36C,”  
8 after “36B,”.

9           (2) Paragraph (2) of section 1324(b) of title  
10 31, United States Code, is amended by inserting  
11 “36C,” after “36B,”.

12           (3) The table of sections for subpart C of part  
13 IV of subchapter A of chapter 1 of the Internal Rev-  
14 enue Code of 1986 is amended by inserting after the  
15 item relating to section 36B the following new item:

“Sec. 36C. Credit for school counselors, social workers, therapists, and psy-  
chologists.”.

16           (c) EFFECTIVE DATE.—The amendments made by  
17 this section shall apply to taxable years ending after the  
18 date of the enactment of this Act.

19 **SEC. 4. STUDY AND REPORT.**

20           (a) IN GENERAL.—Not later than 2 years after the  
21 date of the enactment this Act, the Secretary shall conduct  
22 a study to identify—

23           (1) the elementary schools and secondary  
24 schools in each State with school-based health cen-

1       ters that do not provide mental health services at  
2       such centers;

3               (2) reasons that such schools do not provide, or  
4       are unable to provide, such services; and

5               (3) recommendations with respect to ways to  
6       increase the provision of mental health services in  
7       such centers.

8       (b) REPORT.—Not later than 1 year after conducting  
9       the study required under subsection (a), the Secretary  
10      shall submit to Congress a report containing the findings  
11      and recommendations of such study.

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