

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4763

By Delegates Ellington, Toney, Statler, Hornby,

Griffith, Hamilton and Tully

[Introduced January 16, 2024; Referred
to the Committee on Education then Finance]

1 A BILL to amend and reenact §18C-3-3 of the Code of West Virginia, 1931, as amended, relating
 2 to establishing the Behavioral Health Workforce Education Initiative at the Higher
 3 Education Policy Commission; directing the Treasurer to place funds into the account;
 4 establishing the Behavioral Health Workforce Initiative; setting forth terms of the initiative;
 5 and creating definitions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. HEALTH PROFESSIONALS STUDENT LOAN PROGRAMS.

§18C-3-3. Health Sciences Service Program; Behavioral Health Workforce Education

Initiative; establishment; administration; eligibility.

1 (a) There is continued a special revolving fund account under the Higher Education Policy
 2 Commission in the State Treasury ~~formerly~~ known as the Health Sciences Scholarship Fund. The
 3 fund shall be used to accomplish the purposes of this section. The fund consists of any of the
 4 following:

5 (1) All unexpended health sciences scholarship funds on deposit in the State Treasury on
 6 the effective date of this section;

7 (2) Appropriations as may be provided by the Legislature;

8 (3) Repayments, including interest as set by the ~~Vice chancellor for health sciences~~ or his
 9 or her designee collected from program award recipients who fail to practice or teach in West
 10 Virginia under the terms of an award agreement or the Health Sciences Scholarship Program
 11 previously established by this section; and

12 (4) Amounts that may become available from other sources.

13 (b) Balances remaining in the fund at the end of the fiscal year do not expire or revert to the
 14 general revenue. All costs associated with the administration of this section shall be paid from the
 15 Health Sciences Service Program Fund under the direction of the ~~Vice chancellor for health~~
 16 sciences or his or her designee.

17 ~~(b)~~ (c) Award preference is given to West Virginia residents. An individual is eligible for

18 consideration for a Health Sciences Service Program award if the individual:

19 (1) Either:

20 (A) Is a fourth-year medical student at the Marshall University School of Medicine, West
21 Virginia School of Osteopathic Medicine, or West Virginia University School of Medicine who has
22 been accepted in a primary care or emergency medicine internship/residency program in West
23 Virginia; or

24 (B) Is enrolled in an approved education program at a West Virginia institution leading to a
25 degree or certification in the field of nurse practitioner, nurse educator, nurse midwife, physician
26 assistant, dentist, pharmacist, physical therapist, doctoral clinical psychologist, licensed
27 independent clinical social worker, or other disciplines identified as shortage fields by the ~~Vice~~
28 ~~chancellor for health sciences~~ or his or her designee; and

29 (2) Signs an agreement to practice for at least two years in an underserved area of West
30 Virginia or, if pursuing a master's degree in nursing, signs an agreement to teach at least two years
31 for a school of nursing located in West Virginia, as may be determined by the ~~Vice-chancellor for~~
32 ~~health sciences~~ or his or her designee, after receiving the master's degree.

33 ~~(c)~~ (d) Program awards shall be in an amount set by the Higher Education Policy
34 Commission of at least \$20,000 for medical and dental students and at least \$10,000 for all others
35 and may be awarded by the ~~Vice-chancellor for health sciences~~ or his or her designee, with the
36 advice of an advisory panel, from the pool of all applicants with a commitment to practice in an
37 underserved area of West Virginia. This section does not grant or guarantee any applicant any
38 right to a program award.

39 ~~(d)~~ (e) A program award recipient who fails to practice in an underserved area of West
40 Virginia within six months of the completion of his or her training, or who fails to complete his or her
41 training or required teaching, is in breach of contract and is liable for repayment of the program
42 award and any accrued interest. ~~The granting or renewal of a license to practice in West Virginia or~~
43 ~~to reciprocal licensure in another state based upon licensure in West Virginia is contingent upon~~

44 ~~beginning payment and continuing payment until complete repayment of the award and any~~
45 ~~accrued interest. A license, renewal, or reciprocity may not be granted to any person whose~~
46 ~~repayment is in arrears. The appropriate regulatory board shall inform all other states where a~~
47 ~~recipient has reciprocated based upon West Virginia licensure of any refusal to renew licensure in~~
48 ~~West Virginia as a result of failure to repay the award~~ This provision shall be explained in bold type
49 in the award contract. Repayment terms, not inconsistent with this section, shall be established by
50 the ~~Vice-chancellor for health sciences~~ or his or her designee pursuant to the rule required by this
51 section.

52 (e) ~~(f)~~ (1) There is created a student loan repayment program to be administered by the
53 Higher Education Policy Commission. The loan repayment program shall help repay the student
54 loans for mental health providers who provide therapy and counseling services and who reside in
55 West Virginia and work in an underserved area of West Virginia for up to three years beginning
56 January 1, 2020. Individuals participating in the loan repayment program may be eligible to receive
57 up to \$30,000 to be dispersed as follows:

58 (A) A participant may receive a loan repayment program award of up to \$10,000 each year
59 in exchange for the participant completing one year of practice in an underserved area.

60 (B) A participant may not receive a program award for more than three years of practice.

61 (C) A participant must direct each award received toward the repayment of his or her
62 educational loans.

63 (2) There is created a special revenue fund account under the Higher Education Policy
64 Commission in the State Treasury known as the Mental Health Provider Student Loan Repayment
65 Fund. ~~The fund shall be used to accomplish the purposes of this subsection~~ The fund shall consist
66 of appropriations as may be provided by the Legislature. The Treasurer shall deposit all moneys
67 deposited in or credited to this fund in an interest-bearing account, with the amount of interest
68 earned being credited to this fund as it is earned. The moneys in this special fund shall be
69 expended solely for the purposes of carrying out the duties related to the implementation and

70 administration of the Mental Health Provider Student Loan Repayment Program. Any moneys
71 remaining in the fund at the close of a fiscal year shall be carried forward for use in the next fiscal
72 year.

73 (3) There is hereby created the Behavioral Health Workforce Initiative to be administered
74 by the Higher Education Policy Commission. The Behavioral Health Workforce Initiative shall:

75 (A) Study behavioral health workforce supply and demand by analyzing the geographic
76 and demographic availability of West Virginia behavioral health professionals, including
77 psychiatrists, psychologists, social workers, mental health counselors, substance use disorder
78 counselors, behavioral analysts, peer support providers, primary care physicians, nurses, nurse
79 practitioners, pharmacists, and physician assistants, and develop a strategic plan for education of
80 the behavioral health workforce, prioritizing the need for additional professionals by type and
81 location;

82 (B) Incentivize and promote careers in behavioral health by:

83 (i) Providing funds for two additional residents per year in West Virginia based psychiatry
84 programs. The psychiatry residents participating in this program shall sign an agreement to
85 practice in an underserved area of the state, including the state's psychiatric hospitals, for at least
86 one year for every year of support received from the program;

87 (ii) Providing funds for doctoral-level psychology clinical training placement stipends in
88 West Virginia. Recipients shall train in areas of the state that are underserved by behavioral
89 healthcare providers so as to increase access to such services and shall sign an agreement to
90 practice in an underserved area of the state for at least one year for every year of support received
91 from the program; and

92 (iii) Providing funds for masters' degree level psychology, social work, and counseling
93 internship stipends in West Virginia. These interns shall train in areas of the state that are
94 underserved by behavioral healthcare providers so as to increase access to such services. The
95 interns participating in this program shall sign an agreement to practice in an underserved area of

96 the state for at least one year for every year of support received from the program.

97 (C) Assist in the development of pipeline programming by providing funding to implement
98 evidence-based programs designed to interest elementary, secondary, and postsecondary
99 students, at both the undergraduate and graduate levels, in behavioral health careers;

100 (D) Support new graduates in behavioral health fields by providing funds to increase their
101 access to supervision by licensed practitioners so that the new graduates can obtain licensure or
102 specialized treatment credentials;

103 (E) Assess and increase the training available for behavioral health students in telehealth
104 techniques and other innovative means of care delivery in order to increase access to behavioral
105 health services for all West Virginians; and

106 (F) Coordinate communication between stakeholders to leverage existing federal and
107 state scholarship, loan repayment, and incentive program funds to increase the number of
108 behavioral health professionals practicing in West Virginia.

109 (f) (g) *Rule.* — The Higher Education Policy Commission shall promulgate a rule pursuant
110 to §29A-3A-1 *et seq.* of this code to implement and administer this section.

111 (g) As used in this section:

112 (1) "Training" means:

113 (A) The entire degree program or certification program for nurse midwives, nurse
114 practitioners, nurse educators, physician assistants, dentists, pharmacists, physical therapists,
115 doctoral clinical psychologists, licensed independent clinical social workers, behavioral health
116 practitioners, and other disciplines identified as shortage fields by the ~~Vice chancellor for health~~
117 sciences or his or her designee; or

118 (B) Completion of a degree program and an approved residency/internship program for
119 students pursuing a degree in medicine or osteopathy, or as otherwise may be designated for such
120 students in the rule required by this section.

121 (2) "Underserved area" means any primary care, dental care, or mental health professional

122 shortage area located in the state as determined by the Bureau for Public Health or any additional
123 health professional shortage area, ~~including an emergency medicine professional~~ determined by
124 the ~~Vice-chancellor for health sciences~~ or his or her designee.

125 (3) "Behavioral health" means mental health, behavioral health, or substance use disorder
126 care provided by psychiatrists, psychologists, social workers, mental health counselors,
127 substance use disorder counselors, behavioral analysts, peer support providers, primary care
128 physicians, nurses, nurse practitioners, pharmacists, physician assistants, and other disciplines in
129 similar fields identified as shortage fields by the chancellor or his or her designee.

130 (4) "Evidence based" means programming that has been documented as successful using
131 objective data in pilot or demonstration projects.

132 (5) "Pipeline" means programs during elementary, secondary, or postsecondary education
133 that encourage or emphasize behavioral health careers. "Pipeline programs" are designed to
134 increase student understanding of the field of behavioral health and may include information on
135 potential educational pathways, job shadowing opportunities, career fair and exploration events,
136 availability of dual credit psychology courses in secondary schools, career-focused camp,
137 summer internship experiences, or various other strategies designed to teach students about
138 careers in behavioral health.

NOTE: The purpose of this bill is to create the Behavioral Health Workforce Initiative within the Higher Education Policy Commission.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.