

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4289

BY DELEGATES ELLINGTON, STATLER, TONEY, SMITH,
CLARK, HORST, JENNINGS, MAYNOR, KESSINGER,
BRIDGES, AND TULLY

[Introduced January 19, 2022; 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 Education
3 Policy Commission.

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,
9 collected from program award recipients who fail to practice or teach in West Virginia under the
10 terms of an award agreement or the Health Sciences Scholarship Program previously established
11 by this section; and

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

13 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.

17 (b) 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
25 a 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; 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
31 years for a school of nursing located in West Virginia, as may be determined by the Vice
32 Chancellor for Health Sciences, after receiving the master's degree.

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

38 (d) A program award recipient who fails to practice in an underserved area of West Virginia
39 within six months of the completion of his or her training, or who fails to complete his or her training
40 or required teaching, is in breach of contract and is liable for repayment of the program award
41 and any accrued interest. The granting or renewal of a license to practice in West Virginia or to
42 reciprocal licensure in another state based upon licensure in West Virginia is contingent upon
43 beginning payment and continuing payment until complete repayment of the award and any
44 accrued interest. A license, renewal, or reciprocity may not be granted to any person whose
45 repayment is in arrears. The appropriate regulatory board shall inform all other states where a

46 recipient has reciprocated based upon West Virginia licensure of any refusal to renew licensure
47 in West Virginia as a result of failure to repay the award. This provision shall be explained in bold
48 type in the award contract. Repayment terms, not inconsistent with this section, shall be
49 established by the Vice Chancellor for Health Sciences pursuant to the rule required by this
50 section.

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

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

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

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

62 (2) There is created a special revenue fund account under the Higher Education Policy
63 Commission in the State Treasury known as the Mental Health Provider Student Loan Repayment
64 Fund. The fund shall be used to accomplish the purposes of this subsection. The fund shall consist
65 of appropriations as may be provided by the Legislature. Any moneys remaining in the fund at the
66 close of a fiscal year shall be carried forward for use in the next fiscal year.

67 (3) There is hereby created the behavioral health workforce initiative to be administered
68 by the Higher Education Policy Commission. The behavioral health workforce initiative shall:

69 (A) Study behavioral health workforce supply and demand by analyzing the geographic
70 and demographic availability of West Virginia behavioral health professionals, including
71 psychiatrists, psychologists, social workers, mental health counselors, substance abuse

72 counselors, behavioral analysts, peer support providers, primary care physicians, nurses, nurse
73 practitioners, pharmacists, and physician assistants, and develop a strategic plan for behavioral
74 health workforce, prioritizing the need for additional professionals by type and location;

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

76 (i) Providing funds for two additional residents in West Virginia based psychiatry program
77 each year, beginning in 2022 until a total of eight additional psychiatry residents are added by
78 2026. The psychiatry residents participating in this program shall sign an agreement to practice
79 for at least one year for every year of support received from the program in an underserved area
80 of the state, including the state's psychiatric hospitals;

81 (ii) Providing funds for five one-year doctoral-level psychology internship stipends in West
82 Virginia, beginning in July 2022 and increasing the number of interns supported by the program
83 to 10 by July 2025. These interns shall train in communities so as to increase access to behavioral
84 health services for patients residing in underserved areas of the state. The interns participating
85 in this program shall sign an agreement to practice for at least one year for every year of support
86 received from the program in an underserved area of the state; and

87 (iii) Providing funds for 20 masters' degree level psychology, social work, and counseling
88 internship stipends in West Virginia, beginning in July 2022 and increasing the number of interns
89 supported by the program to 40 by July 2025. These interns shall train in communities so as to
90 increase access to behavioral health services for patients residing in underserved areas of the
91 state. The interns participating in this program shall sign an agreement to practice for at least
92 one year for every year of support received from the program in an underserved area of the state.

93 (C) Assist in the development of pipeline programming by providing funding to implement
94 evidence-based programs designed to interest high school students and college students, at both
95 the undergraduate and graduate levels, in behavioral health careers;

96 (D) Improve trainees' access to clinical supervisors by providing funding to entry level
97 behavioral health practitioners and recent graduates to receive supervision from practicing

98 licensed behavioral health professionals so as to obtain independent licensure;

99 (E) Assist behavioral health professionals by providing funds to support four practicing
100 behavioral health professionals per year attain specialized addiction treatment credentials;

101 (F) Develop learning collaborative partnerships with the state's institutions of higher
102 education, hospitals, law enforcement, community-based agencies, and consumers and their
103 families in order to support evidence-based, recovery-focused, interdisciplinary curricula and
104 training, which shall address the identified priority needs for behavioral health professionals, for
105 behavioral health professionals delivering behavioral health services in law enforcement,
106 hospitals, and community-based agencies;

107 (G) Assess and increase the training available for behavioral health students and
108 professionals in telehealth techniques, including taking advantage of telehealth networks that
109 currently exist, and other innovative means of care delivery in order to increase access to
110 behavioral health services for all West Virginians; and

111 (H) Coordinate communication between stakeholders to leverage existing federal and
112 state scholarship, loan repayment, and incentive programs to increase the number of behavioral
113 health professionals practicing in West Virginia.

114 (f) *Rule.* — The Higher Education Policy Commission shall promulgate a rule pursuant to
115 §29A-3A-1 *et seq.* of this code to implement and administer this section.

116 (g) As used in this section:

117 (1) "Training" means:

118 (A) The entire degree program or certification program for nurse midwives, nurse
119 practitioners, nurse educators, physician assistants, dentists, pharmacists, physical therapists,
120 doctoral clinical psychologists, licensed independent clinical social workers, and other disciplines
121 identified as shortage fields by the Vice Chancellor for Health Sciences; or

122 (B) Completion of a degree program and an approved residency/internship program for
123 students pursuing a degree in medicine or osteopathy, or as otherwise may be designated for

124 such students in the rule required by this section.

125 (2) “Underserved area” means any primary care health professional shortage area or
126 behavioral health care professional shortage area located in the state as determined by the
127 Bureau for Public Health or any additional health professional shortage area, including an
128 emergency medicine professional, determined by the Vice Chancellor for Health Sciences.

129 (3) “Behavioral health” means professional employment in mental health, behavioral
130 health or substance use disorder care, including psychiatrists, psychologists, social workers,
131 mental health counselors, substance use disorder counselors, behavioral analysts, peer support
132 providers, primary care physicians, nurses, nurse practitioners, pharmacists, physician
133 assistants, and other disciplines in similar fields identified as shortage fields by the Senior Director
134 of Health Sciences.

135 (4) “Pipeline” means programs during either secondary or post-secondary education that
136 encourage or emphasize behavioral health careers. “Pipeline programs” are designed to increase
137 student understanding of the field of behavioral health and may include information on potential
138 educational pathways, job shadowing opportunities, career fair and exploration events, availability
139 of dual credit psychology courses in secondary schools, career-focused camp or summer
140 internship experiences, or various other strategies designed to teach students about careers in
141 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.