

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2381

By Delegate Ellington

[Introduced January 11, 2023; 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 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; 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, 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 be
35 awarded by the Vice Chancellor for Health Sciences, with the advice of an advisory panel, from the
36 pool of all applicants with a commitment to practice in an underserved area of West Virginia. This
37 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 and
41 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 in
47 West Virginia as a result of failure to repay the award. This provision shall be explained in bold type
48 in the award contract. Repayment terms, not inconsistent with this section, shall be established by
49 the Vice Chancellor for Health Sciences pursuant to the rule required by this section.

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

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

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

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

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

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

68 (A) Study behavioral health workforce supply and demand by analyzing the geographic
69 and demographic availability of West Virginia behavioral health professionals, including
70 psychiatrists, psychologists, social workers, mental health counselors, substance abuse
71 counselors, behavioral analysts, peer support providers, primary care physicians, nurses, nurse

72 practitioners, pharmacists, and physician assistants, and develop a strategic plan for behavioral
73 health workforce, prioritizing the need for additional professionals by type and location;

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

75 (i) Providing funds for two additional residents in West Virginia based psychiatry program
76 each year, beginning in 2023 until a total of eight additional psychiatry residents are added by
77 2027. The psychiatry residents participating in this program shall sign an agreement to practice for
78 at least one year for every year of support received from the program in an underserved area of the
79 state, including the state's psychiatric hospitals;

80 (ii) Providing funds for five one-year doctoral-level psychology internship stipends in West
81 Virginia, beginning in July 2023 and increasing the number of interns supported by the program to
82 10 by July 2026. These interns shall train in communities so as to increase access to behavioral
83 health services for patients residing in underserved areas of the state. The interns participating in
84 this program shall sign an agreement to practice for at least one year for every year of support
85 received from the program in an underserved area of the state; and

86 (iii) Providing funds for 20 masters' degree level psychology, social work, and counseling
87 internship stipends in West Virginia, beginning in July 2023 and increasing the number of interns
88 supported by the program to 40 by July 2026. These interns shall train in communities so as to
89 increase access to behavioral health services for patients residing in underserved areas of the
90 state. The interns participating in this program shall sign an agreement to practice for at least one
91 year for every year of support received from the program in an underserved area of the state.

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

95 (D) Improve trainees' access to clinical supervisors by providing funding to entry level
96 behavioral health practitioners and recent graduates to receive supervision from practicing
97 licensed behavioral health professionals so as to obtain independent licensure;

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

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

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

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

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

115 (g) As used in this section:

116 (1) "Training" means:

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

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

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

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

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