

# **WEST VIRGINIA LEGISLATURE**

**FISCAL  
NOTE**

## **2025 REGULAR SESSION**

**Introduced**

## **House Bill 2166**

By Delegates Ellington, Statler, Toney, Willis, and Pritt

[Introduced February 12, 2025; 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

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

(1) Either:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(g)(h) As used in this section:

(1) "Training" means:

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

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

(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.