
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1307 Session of
2019

INTRODUCED BY MURT, MARKOSEK, CALTAGIRONE, ISAACSON, ROZZI,
SCHLOSSBERG, HOHENSTEIN, FREEMAN, DeLUCA AND McCLINTON,
APRIL 25, 2019

REFERRED TO COMMITTEE ON HUMAN SERVICES, APRIL 25, 2019

AN ACT

1 Providing for Commonwealth support for a Mental Health and
2 Intellectual Disability Staff Member Loan Forgiveness Program
3 and an Alcohol and Drug Addiction Counselor Loan Forgiveness
4 Program.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Mental Health
9 and Intellectual Disability Staff Member and Alcohol and Drug
10 Addiction Counselor Loan Forgiveness Program Act.

11 Section 2. Findings and declaration of purpose.

12 The General Assembly finds and declares that:

13 (1) Community-based mental health, intellectual
14 disability and alcohol and drug addiction treatment services
15 offer lifelong supports and opportunities for a meaningful
16 quality of life, in fulfillment of Federal and State laws.

17 (2) Treatment of alcohol and other drug addiction is a
18 crucial investment in our health care, in the stability of

1 our families and in protecting the public safety.

2 (3) A qualified and stable work force is the key to
3 quality community mental health and intellectual disability
4 services and to quality alcohol and drug addiction counseling
5 services.

6 (4) The pool of qualified staff members has diminished.

7 (5) The number of college students planning to enter the
8 mental health and intellectual disability profession or the
9 alcohol and drug addiction counseling profession appears to
10 be inadequate to meet the need for staff members in this
11 Commonwealth.

12 (6) Demand from industry and other opportunities attract
13 potential staff members away from these professions.

14 (7) Payment of a portion of student loans for mental
15 health and intellectual disability staff members or alcohol
16 and drug addiction counselors serves the important public
17 purpose of encouraging new staff members to pursue careers in
18 this Commonwealth.

19 Section 3. Definitions.

20 The following words and phrases when used in this act shall
21 have the meanings given to them in this section unless the
22 context clearly indicates otherwise:

23 "Agency." The Pennsylvania Higher Education Assistance
24 Agency.

25 "Alcohol and drug addiction counselor loan forgiveness
26 applicant." A person who meets all of the criteria in section
27 5(a).

28 "Counselor." A counselor assistant, counselor or clinical
29 supervisor.

30 "Licensed alcohol and drug addiction treatment facility." An

1 alcohol or drug addiction treatment facility licensed by the
2 Department of Health to provide addiction treatment services.

3 "Mental health and intellectual disability staff member loan
4 forgiveness applicant." A person who meets all of the criteria
5 in section 4(a).

6 "Qualified applicant." A mental health and intellectual
7 disability staff member loan forgiveness applicant that meets
8 the criteria of section 4(a) or an alcohol and drug addiction
9 counselor loan forgiveness applicant that meets the criteria of
10 section 5(a).

11 "Staff member." A caseworker, direct support professional,
12 therapist, program coordinator or director.

13 Section 4. Mental Health and Intellectual Disability Staff
14 Member Loan Forgiveness Program.

15 (a) Qualifications.--To qualify for the Mental Health and
16 Intellectual Disability Staff Member Loan Forgiveness Program,
17 an applicant must meet all the following criteria:

18 (1) Be a resident of this Commonwealth.

19 (2) Have successfully completed a two-year or four-year
20 academic degree or diploma or graduate-level academic degree
21 or diploma at an accredited college or university.

22 (3) Have been hired as a full-time staff member by a
23 county mental health or intellectual disability service
24 agency within this Commonwealth through a merit or civil
25 service system approved by the Secretary of Human Services or
26 by a private provider that is under contract with either a
27 county to provide mental health or intellectual disability
28 services or the Department of Human Services to provide
29 behavioral health rehabilitation services to individuals with
30 developmental disabilities.

1 (4) Have successfully completed the first six months of
2 full-time employment as a staff member at a county mental
3 health or intellectual disability service agency or a private
4 provider under contract with either a county or the
5 Department of Human Services and remain in good standing with
6 the service agency or private provider.

7 (5) Perform staff duties at a county mental health or
8 intellectual disability service agency within this
9 Commonwealth or at a private provider within this
10 Commonwealth that is under contract with either a county to
11 provide mental health or intellectual disability services or
12 the Department of Human Services to provide behavioral health
13 rehabilitation services to individuals with developmental
14 disabilities.

15 (6) Have borrowed through and has a current outstanding
16 balance with the agency-administered Guaranteed Stafford or
17 Consolidation Loan Programs administered by the Pennsylvania
18 Higher Education Assistance Agency.

19 (7) Agree to work in the field for not less than four
20 years.

21 (b) Components.--Components shall be as follows:

22 (1) A qualified applicant who is selected for the Mental
23 Health and Intellectual Disability Staff Member Loan
24 Forgiveness Program in accordance with this act shall be
25 eligible for payment by the agency of a portion of the debt
26 incurred by the applicant through the agency-administered
27 Guaranteed Stafford or Consolidation Loan Programs for the
28 education necessary to be a mental health or intellectual
29 disability staff member in this Commonwealth if the qualified
30 applicant enters into a contract with the agency that

1 requires the qualified recipient to remain employed as a
2 full-time mental health or intellectual disability staff
3 member in this Commonwealth for a period of two consecutive
4 years.

5 (2) The agency may forgive a proportional part of the
6 applicant's loan so that the loan may be entirely forgiven
7 over four years of full-time staff work. No more than \$5,000
8 shall be forgiven in any year, and not more than \$20,000
9 shall be forgiven for any applicant.

10 (3) Payments shall be made in accordance with the
11 procedures established by the agency.

12 (4) The contract entered into with the agency under
13 paragraph (1) shall be considered a contract with the
14 Commonwealth and shall include the following terms:

15 (i) The recipient shall agree to be employed by a
16 county mental health or intellectual disability service
17 agency located within this Commonwealth or by a private
18 provider of mental health or intellectual disability
19 services for a period of not less than four years in the
20 field.

21 (ii) The recipient shall permit the agency to
22 determine compliance with the work requirement and all
23 other terms of the contract.

24 (iii) Upon the recipient's death or total or
25 permanent disability, the agency shall nullify the
26 service obligation of the recipient.

27 (iv) If the recipient is convicted of or pleads
28 guilty or no contest to a felony, the agency shall have
29 the authority to terminate the recipient's service in the
30 program and demand repayment of the amount of the loan as

1 of the date of the conviction.

2 (v) Loan recipients who fail to begin or complete
3 the obligations contracted for shall pay to the agency
4 the amount of the loan received under the terms of the
5 contract under this section. Providing false information
6 or misrepresentation on an application or verification of
7 service shall be deemed a default. Determination as to
8 the time of the default shall be made by the agency.

9 (c) Limitations.--A loan forgiveness award may not be made
10 for a loan that is in default at the time of the application.
11 Loan forgiveness provided under the provisions of this act shall
12 not be awarded to a recipient of another Commonwealth-provided
13 loan forgiveness program concurrently.

14 Section 5. Alcohol and Drug Addiction Counselor Loan
15 Forgiveness Program.

16 (a) Qualifications.--To qualify for the Alcohol and Drug
17 Addiction Counselor Loan Forgiveness Program, an applicant must
18 meet all the following criteria:

19 (1) Be a resident of this Commonwealth.

20 (2) Have successfully completed a two-year or four-year
21 academic degree or diploma or graduate level academic degree
22 or diploma at an accredited college or university.

23 (3) Have been hired as a full-time counselor by a
24 licensed alcohol and drug addiction treatment facility.

25 (4) Have successfully completed the first six months of
26 full-time employment as a counselor at a licensed alcohol and
27 drug addiction treatment facility and remain in good standing
28 with the facility.

29 (5) Have borrowed through and have a current outstanding
30 balance with Guaranteed Stafford or Consolidation Loan

1 Programs administered by the Pennsylvania Higher Education
2 Assistance Agency.

3 (b) Components.--Components shall be as follows:

4 (1) A qualified applicant who is selected for the
5 Alcohol and Drug Addiction Counselor Loan Forgiveness Program
6 in accordance with this act shall be eligible for payment by
7 the agency of a portion of the debt incurred by the applicant
8 through the agency-administered Guaranteed Stafford or
9 Consolidation Loan Programs for the education necessary to be
10 an alcohol and drug addiction counselor in this Commonwealth
11 if the qualified applicant enters into a contract with the
12 agency that requires the qualified recipient to remain
13 employed as a full-time alcohol and drug addiction counselor
14 in this Commonwealth for a period of two consecutive years.

15 (2) The agency may forgive a proportional part of the
16 applicant's loan so that the loan may be entirely forgiven
17 over four years of full-time staff work. No more than \$5,000
18 shall be forgiven in any year, and not more than \$20,000
19 shall be forgiven for any applicant.

20 (3) Payments shall be made in accordance with the
21 procedures established by the agency.

22 (4) The contract entered into with the agency under
23 paragraph (1) shall be considered a contract with the
24 Commonwealth and shall include the following terms:

25 (i) The recipient shall agree to be employed by a
26 licensed alcohol and drug addiction treatment facility
27 located within this Commonwealth for a period of not less
28 than four years in the field.

29 (ii) The recipient shall permit the agency to
30 determine compliance with the work requirement and all

1 other terms of the contract.

2 (iii) Upon the recipient's death or total or
3 permanent disability, the agency shall nullify the
4 service obligation of the recipient.

5 (iv) If the recipient is convicted of or pleads
6 guilty or no contest to a felony, the agency shall have
7 the authority to terminate the recipient's service in the
8 program and demand repayment of the amount of the loan as
9 of the date of the conviction.

10 (v) Loan recipients who fail to begin or complete
11 the obligations contracted for shall pay to the agency
12 the amount of the loan received under the terms of the
13 contract under this section. Providing false information
14 or misrepresentation on an application or verification of
15 service shall be deemed a default. Determination as to
16 the time of the default shall be made by the agency.

17 (c) Limitation.--A loan forgiveness award under this act may
18 not be made for a loan that is in default at the time of the
19 application. Loan forgiveness provided under the provisions of
20 this act may not be concurrently awarded to a recipient of
21 another Commonwealth-provided loan forgiveness program.

22 Section 6. Tax applicability.

23 Loan forgiveness repayments by a student may not be
24 considered taxable income for purposes of Article II of the act
25 of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of
26 1971.

27 Section 7. Annual report.

28 (a) Development of report.--The agency shall publish a
29 report by October 1, 2019, and every year thereafter for the
30 immediately preceding fiscal year. The report shall include

1 information regarding the operation of the program, including:

2 (1) The number and amount of mental health and
3 intellectual disability staff member and alcohol and drug
4 addiction counselor contracts executed and renewed for mental
5 health and intellectual disability staff member loan
6 forgiveness applicants and alcohol and drug addiction
7 counselor loan forgiveness applicants.

8 (2) The number of defaulted mental health and
9 intellectual disability staff member and alcohol and drug
10 addiction counselor contracts, reported by cause.

11 (3) The number of full-time staff employees of mental
12 health and intellectual disability service agencies, the
13 number of full-time staff employees of private providers and
14 the number of full-time staff employees of licensed alcohol
15 and drug addiction facilities participating in the program,
16 reported by type of institution attended, including four-year
17 educational institutions, community colleges and independent
18 two-year colleges.

19 (4) The number and type of enforcement actions taken by
20 the agency.

21 (b) Submission.--The annual report shall be submitted to the
22 Governor, the chair and minority chair of the Appropriations
23 Committee of the Senate, the chair and minority chair of the
24 Education Committee of the Senate, the chair and minority chair
25 of the Health and Human Services Committee of the Senate, the
26 chair and minority chair of the Appropriations Committee of the
27 House of Representatives, the chair and minority chair of the
28 Education Committee of the House of Representatives and the
29 chair and minority chair of the Human Services Committee of the
30 House of Representatives.

1 Section 8. Appeals.

2 The provisions of this act shall be subject to 22 Pa. Code
3 Ch. 121 (relating to student financial aid).

4 Section 9. Loan forgiveness awards.

5 Recipients of loan forgiveness awards under this act shall be
6 those mental health and intellectual disability staff members or
7 alcohol and drug addiction counselors who are working in and who
8 have received a satisfactory rating from either a county office
9 of mental health or intellectual disability service within this
10 Commonwealth, a private provider within this Commonwealth under
11 contract with a county or the Department of Human Services or a
12 licensed alcohol and drug addiction treatment facility. Mental
13 health or intellectual disability staff members or alcohol and
14 drug addiction counselors shall be required to submit such
15 documentation of eligibility as the agency may require,
16 including documentation to indicate full-time employment, as
17 full-time employment is defined by a county office, a private
18 provider or a licensed alcohol or drug addiction treatment
19 facility. The documentation shall be presented to the agency in
20 the form of a letter from the applicant's employer stating that
21 the applicant is employed by the mental health or intellectual
22 disability service provider or a licensed alcohol and drug
23 addiction facility and that the applicant performs the
24 applicant's duties in a satisfactory manner.

25 Section 10. Funding.

26 Loan forgiveness awards under this act may be made to the
27 extent that funds are appropriated by the General Assembly and
28 are sufficient to cover the administration of the program. In
29 the event that funding is insufficient to fully fund
30 administration and all eligible applicants, priority shall be

1 given to renewal applicants. Afterwards, the agency shall
2 utilize a random lottery system for determining which applicants
3 receive loan forgiveness awards.

4 Section 11. Responsibility of agency.

5 The agency shall administer the Mental Health and
6 Intellectual Disability Staff Member Loan Forgiveness Program
7 and the Alcohol and Drug Addiction Counselor Loan Forgiveness
8 Program established by this act and shall adopt regulations,
9 policies, procedures and forms as are necessary and not
10 inconsistent with the provisions of this act.

11 Section 12. Effective date.

12 This act shall take effect in 60 days.