

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 3

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H.P. 4

House of Representatives, January 2, 2019

**An Act To Enhance and Increase the Availability of Mental Health  
Providers in Maine**

(EMERGENCY)

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Reference to the Committee on Innovation, Development, Economic Advancement and  
Commerce suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HANDY of Lewiston.  
Cosponsored by Senator BELLOWS of Kennebec and  
Representatives: FARNSWORTH of Portland, GRAMLICH of Old Orchard Beach, HEPLER  
of Woolwich, MADIGAN of Waterville, McCREA of Fort Fairfield, McCREIGHT of  
Harpwell, PERRY of Calais, Senator: HERBIG of Waldo.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** there is an acute shortage of mental health providers in the State and  
4 pressing mental health needs that affect the well-being and safety of the populace; and

5           **Whereas,** mental health providers, like many professionals, incur student debt and  
6 have difficulty paying student loans; and

7           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
8 the meaning of the Constitution of Maine and require the following legislation as  
9 immediately necessary for the preservation of the public peace, health and safety; now,  
10 therefore,

11           **Be it enacted by the People of the State of Maine as follows:**

12           **Sec. 1. 10 MRSA c. 110, sub-c. 2-B,** as amended, is repealed.

13           **Sec. 2. 20-A MRSA c. 441** is enacted to read:

14   **CHAPTER 441**

15   **MAINE MENTAL HEALTH PROVIDERS LOAN REPAYMENT PROGRAM**

16           **§12941. Definitions**

17           As used in this chapter, unless the context otherwise indicates, the following terms  
18 have the following meanings.

19           **1. Authority.** "Authority" means the Finance Authority of Maine.

20           **2. Fund.** "Fund" means the Maine Mental Health Providers Loan Repayment Fund  
21 established in section 12943.

22           **3. Mental health provider.** "Mental health provider" means an individual who  
23 possesses, at a minimum, a bachelor's degree from a qualified institution of higher  
24 education and who practices in the State as:

25           A. An individual licensed under Title 32, chapter 83; or

26           B. An individual licensed under Title 32, chapter 119.

27           **4. Program.** "Program" means the Maine Mental Health Providers Loan Repayment  
28 Program established in section 12942.

29           **5. Qualified institution of higher education.** "Qualified institution of higher  
30 education" means an accredited institution of higher education eligible to receive federal  
31 assistance under a federal student assistance program authorized under the federal Higher  
32 Education Act of 1965, Title IV.

1           **§12942. Maine Mental Health Providers Loan Repayment Program**

2           **1. Establishment.** The Maine Mental Health Providers Loan Repayment Program is  
3 established to increase the number of mental health providers practicing in underserved  
4 areas of the State. The authority shall administer the program and the fund.

5           **2. Eligibility.** To be eligible to participate in the program, an applicant must:

6           A. Be a mental health provider;

7           B. Have a bachelor's, master's or doctoral degree related to the applicant's practice  
8 from a qualified institution of higher education;

9           C. Possess an outstanding student loan relating to the degree under paragraph B;

10          D. Practice in an underserved practice area in the State as defined in rule, including  
11 but not limited to the practice of mental health care or social work:

12           (1) In a public or private child welfare or family service agency;

13           (2) In a public or private educational institution, kindergarten to grade 12;

14           (3) In a public or private hospital;

15           (4) In a federally qualified health center;

16           (5) In a community-based behavioral health center;

17           (6) In a public interest law service;

18           (7) In a public child care facility;

19           (8) In a public service for individuals with disabilities;

20           (9) In a public service for the elderly;

21           (10) In a public service for veterans; or

22           (11) At an organization exempt from taxation under the United States Internal  
23 Revenue Code of 1986, Section 501(c)(3) or 501(c)(6);

24          E. Submit an application to the authority, which must include but is not limited to  
25 information concerning academic performance, awards and special honors and  
26 community involvement; and

27          F. Sign a statement of intent to work as a mental health provider in an underserved  
28 practice area in the State for a minimum of 5 years after acceptance into the program  
29 in a form acceptable to the authority.

30          **3. Maximum amount; participants.** The authority may annually accept up to 3  
31 participants from the applications submitted in accordance with subsection 2. The  
32 maximum amount available to each participant is \$5,000 per year for a period of up to 5  
33 years.

34           **§12943. Maine Mental Health Providers Loan Repayment Fund**

35           The Maine Mental Health Providers Loan Repayment Fund is created as a  
36 nonlapsing, interest-earning, revolving fund to carry out the purposes of this chapter.

1           The authority may receive, invest and expend on behalf of the fund money from gifts,  
2 grants, bequests and donations in addition to money appropriated or allocated by the State  
3 and any federal funds received by the State for the benefit of mental health providers who  
4 have outstanding student loans. Money received by the authority on behalf of the fund  
5 must be used for the purposes of this chapter. The fund must be maintained and  
6 administered by the authority. Any unexpended balance in the fund carries forward for  
7 continued use under this chapter.

8           Costs and expenses of maintaining, servicing and administering the fund and of  
9 administering the program may be paid out of amounts in the fund.

10           **§12944. Rules**

11           The authority shall adopt rules to carry out the purposes of this chapter. Rules  
12 adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter  
13 375, subchapter 2-A.

14           **Sec. 3. Appropriations and allocations.** The following appropriations and  
15 allocations are made.

16           **FINANCE AUTHORITY OF MAINE**

17           **Maine Mental Health Providers Loan Repayment Fund N281**

18 Initiative: Provides a one-time appropriation for the repayment of student loans for  
19 certain mental health providers who practice in underserved practice areas and to pay the  
20 administrative costs of the fund.

21

22 <b>GENERAL FUND</b>	<b>2018-19</b>	<b>2019-20</b>
23           All Other	\$1,000,000	\$0
24	<hr/>	<hr/>
25           GENERAL FUND TOTAL	\$1,000,000	\$0

26           **Emergency clause.** In view of the emergency cited in the preamble, this  
27 legislation takes effect when approved.

28           **SUMMARY**

29           This bill establishes and provides funding for the Maine Mental Health Providers  
30 Loan Repayment Program to be administered by the Finance Authority of Maine. Under  
31 the program, all social workers licensed by the State Board of Social Worker Licensure  
32 and all counselors licensed by the Board of Counseling Professionals Licensure may  
33 apply for student loan repayment assistance, as long as the applicants agree to practice for  
34 5 years in one of a list of underserved practice areas in the State. The bill also repeals the  
35 currently unfunded Social Work Education Loan Repayment Program in the Maine  
36 Revised Statutes.