

CHAPTER 1120

MENTAL HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM

H.F. 2549

AN ACT relating to the establishment of a mental health professional loan repayment program within the college student aid commission.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. **261.117 Mental health professional loan repayment program.**

1. *Definitions.* For purposes of [this section](#), unless the context otherwise requires:

a. “*Commission*” means the college student aid commission.

b. “*Eligible institution*” means an institution of higher learning governed by the state board of regents or an accredited private institution as defined in [section 261.9](#).

c. “*Eligible loan*” means a mental health professional’s total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, a mental health professional’s federal grad plus loans, or a mental health professional’s federal Perkins loan, including principal and interest.

d. “*Eligible practice area*” means a city in Iowa that is within a federal mental health shortage area, as designated by the health resources and services administration of the United States department of health and human services.

e. “*Mental health professional*” means a nonprescribing individual who meets all of the following qualifications:

(1) The individual holds at least a master’s degree from an eligible institution in a mental health field, including psychology, counseling and guidance, social work, marriage and family therapy, or mental health counseling.

(2) The individual holds a current Iowa license if practicing in a field covered by an Iowa licensure law.

(3) The individual has at least two years of post-degree clinical experience, supervised by another individual in the mental health field, in assessing mental health needs and problems and in providing appropriate mental health services.

(4) The individual is not eligible for the rural Iowa advanced nurse practitioner and physician assistant loan repayment program established pursuant to [section 261.114](#).

f. “*Part-time practice*” means at least seventy percent of a forty-hour workweek.

2. *Program established.* A mental health professional loan repayment program is established to be administered by the commission for purposes of providing loan repayments for mental health professionals who agree to practice in an eligible practice area and meet the requirements of [this section](#).

3. *Program agreements.*

a. The mental health professional and the commission shall enter into a program agreement. Under the agreement, to receive loan repayments pursuant to [subsection 5](#), a mental health professional shall agree to and shall engage in either of the following:

(1) Full-time practice as a mental health professional in an eligible practice area for a period of five consecutive years after entering into the agreement.

(2) Part-time practice as a mental health professional in an eligible practice area for a period of seven consecutive years after entering into the agreement.

b. A mental health professional who entered into a program agreement pursuant to paragraph “a” may apply to the commission to amend the agreement to allow the mental health professional to switch to part-time practice or full-time practice, as applicable. The commission and the mental health professional may consent to amend the agreement under which the mental health professional shall engage in part-time practice in an eligible practice area for an extended period of part-time practice determined by the commission to be proportional to the amount of full-time practice remaining under the original agreement.

c. The commission shall give priority to mental health professionals who are residents of Iowa and, if requested by the adjutant general, to mental health professionals who are members of the Iowa national guard.

4. *Satisfaction of practice obligation.*

a. An obligation to engage in full-time or part-time practice under a program agreement entered into pursuant to [subsection 3](#) shall be considered satisfied when any of the following conditions is met:

(1) The terms of the agreement are completed.

(2) The individual who entered into the agreement dies.

(3) The individual who entered into the agreement, due to a permanent disability, is unable to practice as a mental health professional.

b. If a mental health professional fails to fulfill the obligation to engage in practice in accordance with [subsection 3](#), the mental health professional shall be subject to repayment to the commission of loan repayment amounts the commission paid to the mental health professional pursuant to [subsection 5](#) plus interest as specified by rule.

5. *Loan repayment amounts.* The annual amount of loan repayment the commission may make to a mental health professional who enters into a program agreement pursuant to [subsection 3](#), if the mental health professional is in compliance with obligations under the agreement, shall be eight thousand dollars for an eligible loan. The total amount of loan repayments from the commission to a mental health professional under [this subsection](#) shall not exceed forty thousand dollars.

6. *Refinanced loans.* A mental health professional who receives a loan repayment pursuant to [subsection 5](#) and who refinances an eligible loan by obtaining a private educational loan may continue to receive loan repayment under [this section](#) if the amount of loan repayment does not exceed the lesser of the amount specified in [subsection 5](#) or the balance of the loan repayment amount the mental health professional qualified to receive with the eligible loan.

7. *Mental health professional loan repayment fund.* A mental health professional loan repayment fund is created for deposit of moneys appropriated to or received by the commission for use under the mental health professional loan repayment program. Notwithstanding [section 8.33](#), moneys deposited in the mental health professional loan repayment fund shall not revert to any fund of the state at the end of any fiscal year but shall remain in the mental health professional loan repayment fund and be continuously available for loan repayment under the program. Notwithstanding [section 12C.7](#), [subsection 2](#), interest or earnings on moneys deposited in the mental health professional loan repayment fund shall be credited to the fund.

8. *Report.* The commission shall submit in a report to the general assembly by January 1, annually, the number of mental health professionals who received loan repayment pursuant to [this section](#), where the mental health professionals practiced, the amount paid to each mental health professional, and other information identified by the commission as indicators of outcomes of the program.

9. *Rules.* The commission shall adopt rules pursuant to [chapter 17A](#) to administer [this section](#).

Approved June 13, 2022