

S-5140

1 Amend House File 2549, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

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

7 1. *Definitions.* For purposes of this section, unless the  
8 context otherwise requires:

9 a. *"Commission"* means the college student aid commission.

10 b. *"Eligible institution"* means an institution of higher  
11 learning governed by the state board of regents or an  
12 accredited private institution as defined in section 261.9.

13 c. *"Eligible loan"* means a mental health professional's  
14 total federally guaranteed Stafford loan amount under the  
15 federal family education loan program or the federal direct  
16 loan program, a mental health professional's federal grad plus  
17 loans, or a mental health professional's federal Perkins loan,  
18 including principal and interest.

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

23 e. *"Mental health professional"* means a nonprescribing  
24 individual who meets all of the following qualifications:

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

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

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

35 (4) The individual is not eligible for the rural Iowa

1 advanced nurse practitioner and physician assistant loan  
2 repayment program established pursuant to section 261.114.

3 *f. "Part-time practice"* means at least seventy percent of  
4 a forty-hour workweek.

5 2. *Program established.* A mental health professional loan  
6 repayment program is established to be administered by the  
7 commission for purposes of providing loan repayments for mental  
8 health professionals who agree to practice in an eligible  
9 practice area and meet the requirements of this section.

10 3. *Program agreements.*

11 *a.* The mental health professional and the commission shall  
12 enter into a program agreement. Under the agreement, to  
13 receive loan repayments pursuant to subsection 5, a mental  
14 health professional shall agree to and shall engage in either  
15 of the following:

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

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

22 *b.* A mental health professional who entered into a program  
23 agreement pursuant to paragraph "a" may apply to the commission  
24 to amend the agreement to allow the mental health professional  
25 to switch to part-time practice or full-time practice, as  
26 applicable. The commission and the mental health professional  
27 may consent to amend the agreement under which the mental  
28 health professional shall engage in part-time practice in an  
29 eligible practice area for an extended period of part-time  
30 practice determined by the commission to be proportional to  
31 the amount of full-time practice remaining under the original  
32 agreement.

33 *c.* The commission shall give priority to mental health  
34 professionals who are residents of Iowa and, if requested by  
35 the adjutant general, to mental health professionals who are

1 members of the Iowa national guard.

2 4. *Satisfaction of practice obligation.*

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

7 (1) The terms of the agreement are completed.

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

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

12 b. If a mental health professional fails to fulfill the  
13 obligation to engage in practice in accordance with subsection  
14 3, the mental health professional shall be subject to repayment  
15 to the commission of loan repayment amounts the commission paid  
16 to the mental health professional pursuant to subsection 5 plus  
17 interest as specified by rule.

18 5. *Loan repayment amounts.* The annual amount of loan  
19 repayment the commission may make to a mental health  
20 professional who enters into a program agreement pursuant  
21 to subsection 3, if the mental health professional is in  
22 compliance with obligations under the agreement, shall be  
23 eight thousand dollars for an eligible loan. The total amount  
24 of loan repayments from the commission to a mental health  
25 professional under this subsection shall not exceed forty  
26 thousand dollars.

27 6. *Refinanced loans.* A mental health professional who  
28 receives a loan repayment pursuant to subsection 5 and who  
29 refinances an eligible loan by obtaining a private educational  
30 loan may continue to receive loan repayment under this section  
31 if the amount of loan repayment does not exceed the lesser of  
32 the amount specified in subsection 5 or the balance of the loan  
33 repayment amount the mental health professional qualified to  
34 receive with the eligible loan.

35 7. *Mental health professional loan repayment fund.* A mental

1 health professional loan repayment fund is created for deposit  
2 of moneys appropriated to or received by the commission for use  
3 under the mental health professional loan repayment program.  
4 Notwithstanding section 8.33, moneys deposited in the mental  
5 health professional loan repayment fund shall not revert to any  
6 fund of the state at the end of any fiscal year but shall remain  
7 in the mental health professional loan repayment fund and be  
8 continuously available for loan repayment under the program.  
9 Notwithstanding section 12C.7, subsection 2, interest or  
10 earnings on moneys deposited in the mental health professional  
11 loan repayment fund shall be credited to the fund.

12 8. *Report.* The commission shall submit in a report to the  
13 general assembly by January 1, annually, the number of mental  
14 health professionals who received loan repayment pursuant to  
15 this section, where the mental health professionals practiced,  
16 the amount paid to each mental health professional, and other  
17 information identified by the commission as indicators of  
18 outcomes of the program.

19 9. *Rules.* The commission shall adopt rules pursuant to  
20 chapter 17A to administer this section.>

21 2. Title page, by striking lines 2 and 3 and inserting  
22 <professional loan repayment program within the college student  
23 aid commission.>

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CHRIS COURNOYER