

115TH CONGRESS  
2D SESSION

# H. R. 5102

To amend the Public Health Service Act to authorize a loan repayment program for substance use disorder treatment employees, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2018

Ms. CLARK of Massachusetts (for herself, Mr. ROGERS of Kentucky, Mr. SARBANES, and Mr. GUTHRIE) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to authorize a loan repayment program for substance use disorder treatment employees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Substance Use Dis-  
5 order Workforce Loan Repayment Act of 2018”.

6 **SEC. 2. LOAN REPAYMENT PROGRAM FOR SUBSTANCE USE**  
7 **DISORDER TREATMENT EMPLOYEES.**

8 Title VII of the Public Health Service Act is amend-  
9 ed—

1 (1) by redesignating part F as part G; and

2 (2) by inserting after part E (42 U.S.C. 294n  
3 et seq.) the following:

4 **“PART F—SUBSTANCE USE DISORDER**

5 **TREATMENT EMPLOYEES**

6 **“SEC. 781. LOAN REPAYMENT PROGRAM FOR SUBSTANCE**

7 **USE DISORDER TREATMENT EMPLOYEES.**

8 “(a) IN GENERAL.—The Secretary, acting through  
9 the Administrator of the Health Resources and Services  
10 Administration, shall carry out a program under which—

11 “(1) the Secretary enters into agreements with  
12 individuals to make payments in accordance with  
13 subsection (b) on the principal of and interest on  
14 any eligible loan; and

15 “(2) the individuals each agree to complete a  
16 period of service in a substance use disorder treat-  
17 ment job, as described in subsection (d).

18 “(b) PAYMENTS.—For each year of obligated service  
19 by an individual pursuant to an agreement under sub-  
20 section (a), the Secretary shall make a payment to such  
21 individual as follows:

22 “(1) SERVICE IN A SHORTAGE AREA.—The Sec-  
23 retary shall pay—

24 “(A) for each year of obligated service by  
25 an individual pursuant to an agreement under

1 subsection (a),  $\frac{1}{6}$  of the principal of and inter-  
2 est on each eligible loan of the individual which  
3 is outstanding on the date the individual began  
4 service pursuant to the agreement; and

5 “(B) for completion of the sixth and final  
6 year of such service, the remainder of such  
7 principal and interest.

8 “(2) MAXIMUM AMOUNT.—The total amount of  
9 payments under this section to any individual shall  
10 not exceed \$250,000.

11 “(c) ELIGIBLE LOANS.—The loans eligible for repay-  
12 ment under this section are each of the following:

13 “(1) Any loan for education or training for a  
14 substance use disorder treatment job.

15 “(2) Any loan under part E of title VIII (relat-  
16 ing to nursing student loans).

17 “(3) Any Federal Direct Stafford Loan, Fed-  
18 eral Direct PLUS Loan, or Federal Direct Unsub-  
19 sidized Stafford Loan, or Federal Direct Consolida-  
20 tion Loan (as such terms are used in section 455 of  
21 the Higher Education Act of 1965).

22 “(4) Any Federal Perkins Loan under part E  
23 of title I of the Higher Education Act of 1965.

24 “(5) Any other Federal loan as determined ap-  
25 propriate by the Secretary.

1       “(d) PERIOD OF SERVICE.—The period of service re-  
2       quired by an agreement under subsection (a) shall consist  
3       of up to 6 years of full-time employment, with no more  
4       than one year passing between any two years of covered  
5       employment, in a substance use disorder treatment job in  
6       the United States in—

7               “(1) a Mental Health Professional Shortage  
8       Area, as designated under section 332; or

9               “(2) a county (or a municipality, if not con-  
10       tained within any county) where the mean drug  
11       overdose death rate per 100,000 people over the past  
12       3 years for which official data is available from the  
13       State, is higher than the most recent available na-  
14       tional average overdose death rate per 100,000 peo-  
15       ple, as reported by the Centers for Disease Control  
16       and Prevention.

17       “(e) INELIGIBILITY FOR DOUBLE BENEFITS.—No  
18       borrower may, for the same service, receive a reduction  
19       of loan obligations or a loan repayment under both—

20               “(1) this subsection; and

21               “(2) any Federally supported loan forgiveness  
22       program, including under section 338B, 338I, or  
23       846 of this Act, or section 428J, 428 L, 455(m), or  
24       460 of the Higher Education Act of 1965.

25       “(f) BREACH.—

1           “(1) LIQUIDATED DAMAGES FORMULA.—The  
2           Secretary may establish a liquidated damages for-  
3           mula to be used in the event of a breach of an  
4           agreement entered into under subsection (a).

5           “(2) LIMITATION.—The failure by an individual  
6           to complete the full period of service obligated pur-  
7           suant to such an agreement, taken alone, shall not  
8           constitute a breach of the agreement, so long as the  
9           individual completed in good faith the years of serv-  
10          ice for which payments were made to the individual  
11          under this section.

12          “(g) ADDITIONAL CRITERIA.—The Secretary—

13           “(1) may establish such criteria and rules to  
14           carry out this section as the Secretary determines  
15           are needed and in addition to the criteria and rules  
16           specified in this section; and

17           “(2) shall give notice to the committees speci-  
18           fied in subsection (h) of any criteria and rules so es-  
19           tablished.

20          “(h) REPORT TO CONGRESS.—Not later than 5 years  
21          after the date of enactment of the Substance Use Disorder  
22          Workforce Loan Repayment Act of 2018, and every other  
23          year thereafter, the Secretary shall prepare and submit  
24          to the Committee on Energy and Commerce of the House

1 of Representatives and the Committee on Health, Edu-  
2 cation, Labor, and Pensions of the Senate a report on—

3 “(1) the number and location of borrowers who  
4 have qualified for loan repayments under this sec-  
5 tion; and

6 “(2) the impact of this section on the avail-  
7 ability of substance use disorder treatment employ-  
8 ees nationally and in shortage areas and counties de-  
9 scribed in subsection (d).

10 “(i) DEFINITION.—In this section:

11 “(1) The term ‘municipality’ means a city,  
12 town, or other public body created by or pursuant to  
13 State law, or an Indian Tribe.

14 “(2) The term ‘substance use disorder treat-  
15 ment job’ means a full-time job (including a fellow-  
16 ship)—

17 “(A) where the primary intent and func-  
18 tion of the job is the direct treatment or recov-  
19 ery support of patients with or in recovery from  
20 a substance use disorder, such as a physician,  
21 physician assistant, registered nurse, nurse  
22 practitioner, advanced practice registered nurse,  
23 social worker, recovery coach, mental health  
24 counselor, addictions counselor, psychologist or  
25 other behavioral health professional, or any

1 other relevant professional as determine by the  
2 Secretary; and

3 “(B) which is located at a substance use  
4 disorder treatment program, private physician  
5 practice, hospital or health system-affiliated in-  
6 patient treatment center or outpatient clinic  
7 (including an academic medical center-affiliated  
8 treatment program), correctional facility or pro-  
9 gram, youth detention center or program, inpa-  
10 tient psychiatric facility, crisis stabilization  
11 unit, community health center, community men-  
12 tal health or other specialty community behav-  
13 ioral health center, recovery center, school, com-  
14 munity-based organization, telehealth platform,  
15 migrant health center, health program or facil-  
16 ity operated by a tribe or tribal organization,  
17 Federal medical facility, or any other facility as  
18 determined appropriate for purposes of this sec-  
19 tion by the Secretary.

20 “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated to carry out this section  
22 \$25,000,000 for each of fiscal years 2019 through 2028.”.

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