

115TH CONGRESS
2D SESSION

H. R. 5102

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2018

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. LOAN REPAYMENT PROGRAM FOR SUBSTANCE USE**
5 **DISORDER TREATMENT EMPLOYEES.**

6 Title VII of the Public Health Service Act is amend-
7 ed—

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

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

11 **“PART F—SUBSTANCE USE DISORDER**
12 **TREATMENT EMPLOYEES**

13 **“SEC. 781. LOAN REPAYMENT PROGRAM FOR SUBSTANCE**
14 **USE DISORDER TREATMENT EMPLOYEES.**

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

18 “(1) the Secretary enters into agreements with
19 individuals to make payments in accordance with
20 subsection (b) on the principal of and interest on
21 any eligible loan; and

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

25 “(b) PAYMENTS.—For each year of obligated service
26 by an individual pursuant to an agreement under sub-

1 section (a), the Secretary shall make a payment to such
2 individual as follows:

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

5 “(A) for each year of obligated service by
6 an individual pursuant to an agreement under
7 subsection (a), $\frac{1}{6}$ of the principal of and inter-
8 est on each eligible loan of the individual which
9 is outstanding on the date the individual began
10 service pursuant to the agreement; and

11 “(B) for completion of the sixth and final
12 year of such service, the remainder of such
13 principal and interest.

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

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

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

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

23 “(3) Any Federal Direct Stafford Loan, Fed-
24 eral Direct PLUS Loan, or Federal Direct Unsub-
25 sidized Stafford Loan, or Federal Direct Consolida-

1 tion Loan (as such terms are used in section 455 of
2 the Higher Education Act of 1965).

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

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

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

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

15 “(2) a county (or a municipality, if not con-
16 tained within any county) where the mean drug
17 overdose death rate per 100,000 people over the past
18 3 years for which official data is available from the
19 State, is higher than the most recent available na-
20 tional average overdose death rate per 100,000 peo-
21 ple, as reported by the Centers for Disease Control
22 and Prevention.

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

1 “(1) this subsection; and

2 “(2) any Federally supported loan forgiveness
3 program, including under section 338B, 338I, or
4 846 of this Act, or section 428J, 428L, 455(m), or
5 460 of the Higher Education Act of 1965.

6 “(f) BREACH.—

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

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

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

19 “(1) may establish such criteria and rules to
20 carry out this section as the Secretary determines
21 are needed and in addition to the criteria and rules
22 specified in this section; and

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

1 “(h) REPORT TO CONGRESS.—Not later than 5 years
2 after the date of enactment of the Substance Use Disorder
3 Workforce Loan Repayment Act of 2018, and every other
4 year thereafter, the Secretary shall prepare and submit
5 to the Committee on Energy and Commerce of the House
6 of Representatives and the Committee on Health, Edu-
7 cation, Labor, and Pensions of the Senate a report on—

8 “(1) the number and location of borrowers who
9 have qualified for loan repayments under this sec-
10 tion; and

11 “(2) the impact of this section on the avail-
12 ability of substance use disorder treatment employ-
13 ees nationally and in shortage areas and counties de-
14 scribed in subsection (d).

15 “(i) DEFINITION.—In this section:

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

19 “(2) The term ‘substance use disorder treat-
20 ment job’ means a full-time job (including a fellow-
21 ship)—

22 “(A) where the primary intent and func-
23 tion of the job is the direct treatment or recov-
24 ery support of patients with or in recovery from
25 a substance use disorder, such as a physician,

1 physician assistant, registered nurse, nurse
2 practitioner, advanced practice registered nurse,
3 social worker, recovery coach, mental health
4 counselor, addictions counselor, psychologist or
5 other behavioral health professional, or any
6 other relevant professional as determine by the
7 Secretary; and

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

1 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$25,000,000 for each of fiscal years 2019 through 2028.”.

Passed the House of Representatives June 12, 2018.

Attest:

KAREN L. HAAS,

Clerk.