

109TH CONGRESS  
1ST SESSION

# H. R. 1106

To increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2005

Mr. KENNEDY of Rhode Island (for himself, Ms. ROS-LEHTINEN, Mr. TOWNS, Mr. OWENS, Ms. MILLENDER-MCDONALD, Mr. KIND, Mr. HINCHEY, Ms. DELAURO, Mr. GUTIERREZ, Mr. LYNCH, Mr. McNULTY, Mr. McGOVERN, Mr. MEEHAN, Mr. PLATTS, Ms. KILPATRICK of Michigan, Ms. WOOLSEY, Mrs. NAPOLITANO, Mr. CONYERS, Mr. LANTOS, Mr. STARK, and Mr. HOLDEN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, 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 “Child Health Care Cri-  
3 sis Relief Act of 2005”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) The Center for Mental Health Services esti-  
7 mates that 20 percent or 13,700,000 of the Nation’s  
8 children and adolescents have a diagnosable mental  
9 disorder, and about  $\frac{2}{3}$  of these children and adoles-  
10 cents do not receive mental health care.

11 (2) According to “Mental Health: A Report of  
12 the Surgeon General” in 1999, there are approxi-  
13 mately 6,000,000 to 9,000,000 children and adoles-  
14 cents in the United States (accounting for 9 to 13  
15 percent of all children and adolescents in the United  
16 States) who meet the definition for having a serious  
17 emotional disturbance.

18 (3) According to the Center for Mental Health  
19 Services, approximately 5 to 9 percent of United  
20 States children and adolescents meet the definition  
21 for extreme functional impairment.

22 (4) According to the Surgeon General’s Report,  
23 there are particularly acute shortages in the num-  
24 bers of mental health service professionals serving  
25 children and adolescents with serious emotional dis-  
26 orders.

11 (7) The development and application of knowl-  
12 edge about the impact of disasters on children, ado-  
13 lesscents, and their families has been impeded by crit-  
14 ical shortages of qualified researchers and practi-  
15 tioners specializing in this work.

16 (8) According to the Bureau of the Census, the  
17 population of children and adolescents in the United  
18 States under the age of 18 is projected to grow by  
19 more than 40 percent in the next 50 years from 70  
20 million to more than 100 million by 2050.

1   **SEC. 3. LOAN REPAYMENTS, SCHOLARSHIPS, AND GRANTS**

2                   **TO IMPROVE CHILD AND ADOLESCENT MEN-**

3                   **TAL HEALTH CARE.**

4               Part E of title VII of the Public Health Service Act

5   (42 U.S.C. 294n et seq.) is amended by adding at the end

6   the following:

7   **“Subpart 3—Child and Adolescent Mental Health**

8                   **Care**

9   **“SEC. 771. LOAN REPAYMENTS, SCHOLARSHIPS, AND**

10                   **GRANTS TO IMPROVE CHILD AND ADOLES-**

11                   **CENT MENTAL HEALTH CARE.**

12               “(a) LOAN REPAYMENTS FOR CHILD AND ADOLES-

13   CENT MENTAL HEALTH SERVICE PROFESSIONALS.—

14               “(1) ESTABLISHMENT.—The Secretary, acting

15   through the Administrator of the Health Resources

16   and Services Administration, may establish a pro-

17   gram of entering into contracts on a competitive

18   basis with eligible individuals under which—

19               “(A) the eligible individual agrees to be

20   employed full-time for a specified period (which

21   shall be at least 2 years) in providing mental

22   health services to children and adolescents; and

23               “(B) the Secretary agrees to make, during

24   the period of employment described in subpara-

25   graph (A), partial or total payments on behalf

26   of the individual on the principal and interest

1                   due on the undergraduate and graduate educational loans of the eligible individual.

3                   “(2) ELIGIBLE INDIVIDUAL.—For purposes of  
4                   this section, the term ‘eligible individual’ means an  
5                   individual who—

6                   “(A) is receiving specialized training or  
7                   clinical experience in child and adolescent mental health in psychiatry, psychology, school psychology, psychiatric nursing, social work, school social work, marriage and family therapy, school counseling, or professional counseling and has less than 1 year remaining before completion of such training or clinical experience;  
10                   or

15                   “(B)(i) has a license in a State to practice allopathic medicine, osteopathic medicine, psychology, school psychology, psychiatric nursing, social work, school social work, marriage and family therapy, school counseling, or professional counseling; and

21                   “(ii)(I) is a mental health service professional who completed (but not before the end of the calendar year in which this section is enacted) specialized training or clinical experience

1           in child and adolescent mental health described  
2           in subparagraph (A); or

3           “(II) is a physician who graduated from  
4           (but not before the end of the calendar year in  
5           which this section is enacted) an accredited  
6           child and adolescent psychiatry residency or fel-  
7           lowship program in the United States.

8           “(3) ADDITIONAL ELIGIBILITY REQUIRE-  
9           MENTS.—The Secretary may not enter into a con-  
10           tract under this subsection with an eligible indi-  
11           vidual unless the individual—

12           “(A) is a United States citizen or a perma-  
13           nent legal United States resident; and

14           “(B) if enrolled in a graduate program (in-  
15           cluding a medical residency or fellowship), has  
16           an acceptable level of academic standing (as de-  
17           termined by the Secretary).

18           “(4) PRIORITY.—In entering into contracts  
19           under this subsection, the Secretary shall give pri-  
20           ority to applicants who—

21           “(A) are or will be working with high-pri-  
22           ority populations;

23           “(B) have familiarity with evidence-based  
24           methods in child and adolescent mental health  
25           services;

1                   “(C) demonstrate financial need; and  
2                   “(D) are or will be working in the publicly  
3                   funded sector.

4                   “(5) MEANINGFUL LOAN REPAYMENT.—If the  
5                   Secretary determines that funds appropriated for a  
6                   fiscal year to carry out this subsection are not suffi-  
7                   cient to allow a meaningful loan repayment to all ex-  
8                   pected applicants, the Secretary shall limit the num-  
9                   ber of contracts entered into under paragraph (1) to  
10                   ensure that each such contract provides for a mean-  
11                   ingful loan repayment.

12                   “(6) AMOUNT.—

13                   “(A) MAXIMUM.—For each year that an  
14                   eligible individual agrees under a contract  
15                   under paragraph (1) to be employed, the Sec-  
16                   retary may agree under that contract to pay  
17                   not more than \$35,000 on behalf of the indi-  
18                   vidual.

19                   “(B) CONSIDERATION.—In determining  
20                   the amount of payments to be made on behalf  
21                   of an eligible individual under a contract to be  
22                   entered into under paragraph (1), the Secretary  
23                   shall consider the eligible individual’s income  
24                   and debt load.

1                 “(7) APPLICABILITY OF CERTAIN PROVI-  
2         SIONS.—The provisions of sections 338E and 338F  
3         shall apply to the program established under para-  
4         graph (1) to the same extent and in the same man-  
5         ner as such provisions apply to the National Health  
6         Service Corps Loan Repayment Program established  
7         in subpart III of part D of title III.

8                 “(8) AUTHORIZATION OF APPROPRIATIONS.—  
9         There is authorized to be appropriated to carry out  
10        this subsection \$10,000,000 for each of fiscal years  
11        2006 through 2010.

12         “(b) SCHOLARSHIPS FOR STUDENTS STUDYING TO  
13        BECOME CHILD AND ADOLESCENT MENTAL HEALTH  
14        SERVICE PROFESSIONALS.—

15                 “(1) ESTABLISHMENT.—The Secretary, acting  
16         through the Administrator of the Health Resources  
17         and Services Administration, may establish a pro-  
18         gram to award scholarships on a competitive basis to  
19         eligible students who agree to enter into full-time  
20         employment (as described in paragraph (4)(C)) as a  
21         child and adolescent mental health service profes-  
22         sional after graduation or completion of a residency  
23         or fellowship.

24                 “(2) ELIGIBLE STUDENT.—For purposes of  
25         this subsection, the term ‘eligible student’ means a

1       United States citizen or a permanent legal United  
2       States resident who—

3               “(A) is enrolled or accepted to be enrolled  
4               in a graduate program that includes specialized  
5               training or clinical experience in child and ado-  
6               lescent mental health in psychology, school psy-  
7               chology, psychiatric nursing, social work, school  
8               social work, marriage and family therapy,  
9               school counseling, or professional counseling; or

10               “(B) is enrolled or accepted to be enrolled  
11               in an accredited graduate training program of  
12               allopathic or osteopathic medicine in the United  
13               States and intends to complete an accredited  
14               residency or fellowship in child and adolescent  
15               psychiatry.

16               “(3) PRIORITY.—In awarding scholarships  
17               under this subsection, the Secretary shall give—

18               “(A) highest priority to applicants who  
19               previously received a scholarship under this  
20               subsection and satisfy the criteria described in  
21               subparagraph (B); and

22               “(B) second highest priority to applicants  
23               who—

24               “(i) demonstrate a commitment to  
25               working with high-priority populations;

1                         “(ii) have familiarity with evidence-  
2                         based methods in child and adolescent  
3                         mental health services;

4                         “(iii) demonstrate financial need; and  
5                         “(iv) are or will be working in the  
6                         publicly funded sector.

7             “(4) REQUIREMENTS.—The Secretary may  
8             award a scholarship to an eligible student under this  
9             subsection only if the eligible student agrees—

10                         “(A) to complete any graduate training  
11                         program, internship, residency, or fellowship  
12                         applicable to that eligible student under para-  
13                         graph (2);

14                         “(B) to maintain an acceptable level of  
15                         academic standing (as determined by the Sec-  
16                         retary) during the completion of such graduate  
17                         training program, internship, residency, or fel-  
18                         lowship; and

19                         “(C) to be employed full-time after gradua-  
20                         tion or completion of a residency or fellowship,  
21                         for at least the number of years for which a  
22                         scholarship is received by the eligible student  
23                         under this subsection, in providing mental  
24                         health services to children and adolescents.

1           “(5) USE OF SCHOLARSHIP FUNDS.—A scholarship  
2       awarded to an eligible student for a school year  
3       under this subsection may be used only to pay for  
4       tuition expenses of the school year, other reasonable  
5       educational expenses (including fees, books, and lab-  
6       oratory expenses incurred by the eligible student in  
7       the school year), and reasonable living expenses, as  
8       such tuition expenses, reasonable educational ex-  
9       penses, and reasonable living expenses are deter-  
10      mined by the Secretary.

11           “(6) AMOUNT.—The amount of a scholarship  
12       under this subsection shall not exceed the total  
13       amount of the tuition expenses, reasonable edu-  
14       cational expenses, and reasonable living expenses de-  
15      scribed in paragraph (5).

16           “(7) APPLICABILITY OF CERTAIN PROVI-  
17       SIONS.—The provisions of sections 338E and 338F  
18       shall apply to the program established under para-  
19       graph (1) to the same extent and in the same man-  
20       ner as such provisions apply to the National Health  
21       Service Corps Scholarship Program established in  
22       subpart III of part D of title III.

23           “(8) AUTHORIZATION OF APPROPRIATIONS.—  
24       There is authorized to be appropriated to carry out

1 this subsection \$5,000,000 for each of fiscal years  
2 2006 through 2010.

3       “(c) CLINICAL TRAINING GRANTS FOR PROFES-  
4 SIONALS.—

5           “(1) ESTABLISHMENT.—The Secretary, acting  
6 through the Administrator of the Health Resources  
7 and Services Administration, in cooperation with the  
8 Administrator of the Substance Abuse and Mental  
9 Health Services Administration, may establish a pro-  
10 gram to award grants on a competitive basis to ac-  
11 credited institutions of higher education to establish  
12 or expand internships or other field placement pro-  
13 grams for students receiving specialized training or  
14 clinical experience in child and adolescent mental  
15 health in psychiatry, psychology, school psychology,  
16 psychiatric nursing, social work, school social work,  
17 marriage and family therapy, school counseling, or  
18 professional counseling.

19           “(2) PRIORITY.—In awarding grants under this  
20 subsection, the Secretary shall give priority to appli-  
21 cants that—

22               “(A) have demonstrated the ability to col-  
23 lect data on the number of students trained in  
24 child and adolescent mental health and the pop-

1           ulations served by such students after gradu-  
2           tion;

3                   “(B) have demonstrated familiarity with  
4                   evidence-based methods in child and adolescent  
5                   mental health services; and

6                   “(C) have programs designed to increase  
7                   the number of professionals serving high-pri-  
8                   ority populations.

9               “(3) REQUIREMENTS.—The Secretary may  
10               award a grant to an applicant under this subsection  
11               only if the applicant agrees that—

12                   “(A) any internship or other field place-  
13                   ment program assisted under the grant will  
14                   prioritize cultural competency;

15                   “(B) students benefiting from any assist-  
16                   ance under this subsection will be United States  
17                   citizens or permanent legal United States resi-  
18                   dents;

19                   “(C) the institution will provide to the Sec-  
20                   retary such data, assurances, and information  
21                   as the Secretary may require; and

22                   “(D) with respect to any violation of the  
23                   agreement between the Secretary and the insti-  
24                   tution, the institution will pay such liquidated

1           damages as prescribed by the Secretary by reg-  
2           ulation.

3           “(4) APPLICATION.—The Secretary shall re-  
4           quire that any application for a grant under this  
5           subsection include a description of the applicant’s  
6           experience working with child and adolescent mental  
7           health issues.

8           “(5) AUTHORIZATION OF APPROPRIATIONS.—  
9           There is authorized to be appropriated to carry out  
10           this subsection \$10,000,000 for each of fiscal years  
11           2006 through 2010.

12           “(d) PROGRESSIVE EDUCATION GRANTS FOR PARA-  
13           PROFESSIONALS.—

14           “(1) ESTABLISHMENT.—The Secretary, acting  
15           through the Administrator of the Health Resources  
16           and Services Administration, in cooperation with the  
17           Administrator of the Substance Abuse and Mental  
18           Health Services Administration, may establish a pro-  
19           gram to award grants on a competitive basis to  
20           State-licensed mental health nonprofit and for-profit  
21           organizations (including accredited institutions of  
22           higher education) to enable such organizations to  
23           pay for programs for preservice or in-service training  
24           of paraprofessional child and adolescent mental  
25           health workers.

1           “(2) DEFINITION.—For purposes of this sub-  
2        section, the term ‘paraprofessional child and adoles-  
3        cent mental health worker’ means an individual who  
4        is not a mental health service professional, but who  
5        works at the first stage of contact with children and  
6        families who are seeking mental health services.

7           “(3) PRIORITY.—In awarding grants under this  
8        subsection, the Secretary shall give priority to appli-  
9        cants that—

10           “(A) have demonstrated the ability to col-  
11        lect data on the number of paraprofessional  
12        child and adolescent mental health workers  
13        trained by the applicant and the populations  
14        served by these workers after the completion of  
15        the training;

16           “(B) have familiarity with evidence-based  
17        methods in child and adolescent mental health  
18        services; and

19           “(C) have programs designed to increase  
20        the number of paraprofessional child and ado-  
21        lescent mental health workers serving high-pri-  
22        ority populations.

23           “(4) REQUIREMENTS.—The Secretary may  
24        award a grant to an organization under this sub-  
25        section only if the organization agrees that—

1                 “(A) any training program assisted under  
2                 the grant will prioritize cultural competency;

3                 “(B) the organization will provide to the  
4                 Secretary such data, assurances, and informa-  
5                 tion as the Secretary may require; and

6                 “(C) with respect to any violation of the  
7                 agreement between the Secretary and the orga-  
8                 nization, the organization will pay such liq-  
9                 uidated damages as prescribed by the Secretary  
10                 by regulation.

11                 “(5) APPLICATION.—The Secretary shall re-  
12                 quire that any application for a grant under this  
13                 subsection include a description of the applicant’s  
14                 experience working with paraprofessional child and  
15                 adolescent mental health workers.

16                 “(6) AUTHORIZATION OF APPROPRIATIONS.—  
17                 There is authorized to be appropriated to carry out  
18                 this subsection \$5,000,000 for each of fiscal years  
19                 2006 through 2010.

20                 “(e) CHILD AND ADOLESCENT MENTAL HEALTH  
21                 PROGRAM DEVELOPMENT GRANTS.—

22                 “(1) ESTABLISHMENT.—The Secretary, acting  
23                 through the Administrator of the Health Resources  
24                 and Services Administration, may establish a pro-  
25                 gram to increase the number of well-trained child

1 and adolescent mental health service professionals in  
2 the United States by awarding grants on a competi-  
3 tive basis to accredited institutions of higher edu-  
4 cation to enable the institutions to establish or ex-  
5 pand accredited graduate child and adolescent men-  
6 tal health programs.

7 “(2) PRIORITY.—In awarding grants under this  
8 subsection, the Secretary shall give priority to appli-  
9 cants that—

10 “(A) demonstrate familiarity with the use  
11 of evidence-based methods in child and adoles-  
12 cent mental health services;

13 “(B) provide experience in and collabora-  
14 tion with community-based child and adolescent  
15 mental health services;

16 “(C) have included normal child develop-  
17 ment curricula; and

18 “(D) demonstrate commitment to working  
19 with high-priority populations.

20 “(3) USE OF FUNDS.—Funds received as a  
21 grant under this subsection may be used to establish  
22 or expand any accredited graduate child and adoles-  
23 cent mental health program in any manner deemed  
24 appropriate by the Secretary, including by improving

1 the course work, related field placements, or faculty  
2 of such program.

3       “(4) REQUIREMENTS.—The Secretary may  
4 award a grant to an accredited institution of higher  
5 education under this subsection only if the institu-  
6 tion agrees that—

7           “(A) any child and adolescent mental  
8 health program assisted under the grant will  
9 prioritize cultural competency;

10          “(B) the institution will provide to the Sec-  
11 retary such data, assurances, and information  
12 as the Secretary may require; and

13          “(C) with respect to any violation of the  
14 agreement between the Secretary and the insti-  
15 tution, the institution will pay such liquidated  
16 damages as prescribed by the Secretary by reg-  
17 ulation.

18        “(5) AUTHORIZATION OF APPROPRIATIONS.—  
19 There is authorized to be appropriated to carry out  
20 this subsection \$15,000,000 for each of fiscal years  
21 2006 through 2010.

22        “(f) DEFINITIONS.—In this section:

23           “(1) SPECIALIZED TRAINING OR CLINICAL EX-  
24 PERIENCE IN CHILD AND ADOLESCENT MENTAL  
25 HEALTH.—The term ‘specialized training or clinical

1       experience in child and adolescent mental health’  
2       means training and clinical experience that—

3               “(A) is part of or occurs after completion  
4               of an accredited graduate program in the  
5               United States for training mental health service  
6               professionals;

7               “(B) consists of at least 500 hours of  
8               training or clinical experience in treating chil-  
9               dren and adolescents; and

10               “(C) is comprehensive, coordinated, devel-  
11               opmentally appropriate, and of high quality to  
12               address the unique ethnic and cultural diversity  
13               of the United States population.

14       “(2) HIGH-PRIORITY POPULATION.—The term  
15       ‘high-priority population’ means—

16               “(A) a population in which there is a sig-  
17               nificantly greater incidence than the national  
18               average of—

19                       “(i) children who have serious emo-  
20                       tional disturbances; or

21                       “(ii) children who are racial or ethnic  
22                       minorities; or

23               “(B) a population consisting of individuals  
24               living in a high-poverty urban or rural area.

1               “(3) MENTAL HEALTH SERVICE PROFES-  
2       SIONAL.—The term ‘mental health service profes-  
3       sional’ means an individual with a graduate or post-  
4       graduate degree from an accredited institution of  
5       higher education in psychiatry, psychology, school  
6       psychology, psychiatric nursing, social work, school  
7       social work, marriage and family counseling, school  
8       counseling, or professional counseling.”.

9 **SEC. 4. AMENDMENTS TO SOCIAL SECURITY ACT TO IM-**  
10               **PROVE CHILD AND ADOLESCENT MENTAL**  
11               **HEALTH CARE.**

12       (a) INCREASING NUMBER OF CHILD AND ADOLES-  
13       CENT PSYCHIATRY RESIDENTS PERMITTED TO BE PAID  
14       UNDER THE MEDICARE GRADUATE MEDICAL EDUCATION  
15       PROGRAM.—Section 1886(h)(4)(F) of the Social Security  
16       Act (42 U.S.C. 1395ww(h)(4)(F)) is amended by adding  
17       at the end the following new clause:

18               “(iii) INCREASE ALLOWED FOR TRAIN-  
19       ING IN CHILD AND ADOLESCENT PSYCHI-  
20       ATRY.—In applying clause (i), there shall  
21       not be taken into account such additional  
22       number of full-time equivalent residents in  
23       the field of allopathic or osteopathic medi-  
24       cine who are residents or fellows in child  
25       and adolescent psychiatry as the Secretary

1                   determines reasonable to meet the need for  
2                   such physicians as demonstrated by the  
3                   1999 report of the Department of Health  
4                   and Human Services entitled ‘Mental  
5                   Health: A Report of the Surgeon General’.”.

7                   (b) EXTENSION OF MEDICARE BOARD ELIGIBILITY  
8                   PERIOD FOR RESIDENTS AND FELLOWS IN CHILD AND  
9                   ADOLESCENT PSYCHIATRY.—Section 1886(h)(5)(G) of  
10                  the Social Security Act (42 U.S.C. 1395ww(h)(5)(G)) is  
11                  amended—

12                  (1) in clause (i), by striking “and (v)” and in-  
13                  serting “(v), and (vi)”; and  
14                  (2) by adding at the end the following new  
15                  clause:

16                   “(vi) CHILD AND ADOLESCENT PSY-  
17                   CHIATRY TRAINING PROGRAMS.—In the  
18                  case of an individual enrolled in a child  
19                  and adolescent psychiatry residency or fel-  
20                  lowship program approved by the Sec-  
21                  retary, the period of board eligibility and  
22                  the initial residency period shall be the pe-  
23                  riod of board eligibility for the specialty of  
24                  general psychiatry, plus 2 years for the

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to residency training years begin-  
5 ning on or after July 1, 2006.

## 6 SEC. 5. CHILD MENTAL HEALTH PROFESSIONAL REPORT.

7 (a) STUDY.—The Administrator of the Health Re-  
8 sources and Services Administration (in this section re-  
9 ferred to as the “Administrator”) shall study and make  
10 findings and recommendations on the distribution and  
11 need for child mental health service professionals, includ-  
12 ing with respect to specialty certifications, practice charac-  
13 teristics, professional licensure, practice types, locations,  
14 education, and training.

15 (b) DISAGGREGATION.—The results of the study re-  
16 quired by subsection (a) shall be disaggregated by State.

17 (c) REPORT.—Not later than 2 years after the date  
18 of the enactment of this Act, the Administrator shall sub-  
19 mit to the Congress and make publicly available a report  
20 on the study, findings, and recommendations required by  
21 subsection (a).

22 SEC. 6. REPORTS.

23 (a) TRANSMISSION.—The Secretary of Health and  
24 Human Services shall transmit a report described in sub-  
25 section (b) to the Congress—

1 (1) not later than 3 years after the date of the  
2 enactment of this Act; and

3 (2) not later than 5 years after the date of the  
4 enactment of this Act.

5 (b) CONTENTS.—The reports transmitted to the Con-  
6 gress under subsection (a) shall address each of the fol-  
7 lowing:

