

ASSEMBLY BILL

No. 938

Introduced by Assembly Member Yee

February 20, 2003

An act to add Sections 2435.2, 2987.2, 4984.75, and 4996.65 to the Business and Professions Code, and to add Article 4 (commencing with Section 128454) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to health professions.

LEGISLATIVE COUNSEL'S DIGEST

AB 938, as introduced, Yee. Mental health professions: scholarships and loans: funding.

Existing law provides for the licensure and regulation of child psychiatrists by the Medical Board of California, psychologists by the Board of Psychology, and marriage and family therapists and licensed clinical social workers by the Board of Behavioral Sciences. Existing law requires these regulatory boards to charge license renewal fees.

This bill would require these boards to charge these licensees, at the time of license renewal, an additional \$5 assessment. The bill would require the boards to transfer the fee amounts to the Controller for deposit in the Mental Health Practitioner Education Fund established under the bill. This bill would impose a state tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of $\frac{2}{3}$ of the membership of each house of the Legislature.

Existing law requires the Office of Statewide Health Planning and Development to establish a nonprofit public benefit corporation known as the Health Professions Education Foundation to perform various

duties with respect to implementing health professions scholarship and loan programs.

Existing law provides for the Registered Nurse Education Program within the foundation under which persons who agree in writing prior to graduation to serve in an eligible county health facility, an eligible state-operated health facility, or a health manpower shortage area are eligible for scholarship and loan repayment. Existing law establishes in the State Treasury the Registered Nurse Education Fund and provides for the appropriation of money in the fund annually in the Budget Act for purposes of the Registered Nurse Education Program.

This bill would similarly establish the Licensed Mental Health Provider Education Program. The bill would require the foundation to develop the program, as prescribed, to provide scholarships and loans to licensed mental health providers, as defined, who agree to serve in an eligible county health facility or a health manpower shortage area that is multicultural and linguistically diverse. The bill would establish in the State Treasury the Mental Health Practitioner Education Fund and moneys in the fund, upon appropriation by the Legislature, would be available for expenditure by the office for purposes of the program.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) An adequate supply of licensed mental health service
- 4 providers is critical to ensuring the health and well-being of the
- 5 citizens of California, particularly those who live in multicultural,
- 6 linguistically diverse, and medically underserved areas.
- 7 (b) There is a shortage of licensed mental health service
- 8 providers, such as child psychiatrists, psychologists, marriage and
- 9 family therapists, and licensed clinical social workers, who are
- 10 able to provide quality mental health services to multicultural,
- 11 linguistically diverse, underserved populations by overcoming
- 12 language barriers, and understanding and being sensitive to
- 13 cultural differences and perceptions.
- 14 (c) In mental health care and other professions, certain
- 15 populations are underrepresented, and in this regard, it is
- 16 especially important that mental health care be provided in a way



1 that it sensitive to the sociocultural variables that affect a person’s
2 health.

3 (d) The financial burden of obtaining a baccalaureate degree is
4 considerable and students from families that lack adequate
5 financial resources may need financial assistance to complete a
6 baccalaureate degree.

7 (e) Approximately 54.1 percent of all Californians live in rural
8 and urban areas that have been designated underserved, many of
9 these areas are also multicultural and linguistically diverse, and the
10 shortage of licensed mental health service providers makes it more
11 difficult for those citizens to obtain necessary mental health
12 services in a timely manner.

13 SEC. 2. Section 2435.2 is added to the Business and
14 Professions Code, to read:

15 2435.2. In addition to the fees charged pursuant to Section
16 2435 for the biennial renewal of a physician and surgeon
17 certificate, the board shall charge each licensee who is a child
18 psychiatrist an additional five dollar (\$5) assessment at the time of
19 renewal. The board shall transfer this amount to the Controller
20 who shall deposit the funds in the Mental Health Practitioner
21 Education Fund.

22 SEC. 3. Section 2987.2 is added to the Business and
23 Professions Code, to read:

24 2987.2. In addition to the fees charged pursuant to Section
25 2987 for the biennial renewal of a license, the board shall collect
26 an additional five dollar (\$5) assessment at the time of renewal.
27 The board shall transfer this amount to the Controller who shall
28 deposit the funds in the Mental Health Practitioner Education
29 Fund.

30 SEC. 4. Section 4984.75 is added to the Business and
31 Professions Code, to read:

32 4984.75. In addition to the fees charged pursuant to Section
33 4984.7 for the biennial renewal of a license pursuant to Section
34 4984, the board shall collect an additional five dollar (\$5)
35 assessment at the time of renewal. The board shall transfer this
36 amount to the Controller who shall deposit the funds in the Mental
37 Health Practitioner Education Fund.

38 SEC. 5. Section 4996.65 is added to the Business and
39 Professions Code, to read:



1 4996.65. In addition to the fees charged pursuant to Section
 2 4996.6 for the biennial renewal of a license, the board shall collect
 3 an additional five dollar (\$5) assessment at the time of renewal.
 4 The board shall transfer this amount to the Controller who shall
 5 deposit the funds in the Mental Health Practitioner Education
 6 Fund.

7 SEC. 6. Article 4 (commencing with Section 128454) is
 8 added to Chapter 5 of Part 3 of Division 104 of the Health and
 9 Safety Code, to read:

10
 11 Article 4. Licensed Mental Health Service Provider Education
 12 Program
 13

14 128454. (a) There is hereby created the Licensed Mental
 15 Health Service Provider Education Program within the Health
 16 Professions Education Foundation.

17 (b) For purposes of this article, “licensed mental health service
 18 provider” means a child psychiatrist, psychologist, marriage and
 19 family therapist, and licensed clinical social worker.

20 (c) Persons participating in this program shall be persons who
 21 agree in writing prior to graduation to serve in an eligible county
 22 health facility or a health manpower shortage area that is
 23 multicultural and linguistically diverse, as designated by the
 24 director. Persons agreeing to serve in eligible county health
 25 facilities or health manpower shortage areas may apply for
 26 scholarship or loan repayment. The Licensed Mental Health
 27 Service Provider Education Program shall be administered so that
 28 all funds in the Licensed Mental Health Service Provider
 29 Education Fund shall be used only for the purpose of promoting
 30 the education of licensed mental health service providers and
 31 related administrative costs. The Health Professions Education
 32 Foundation shall make recommendations to the director of the
 33 office concerning both of the following:

34 (1) A standard contractual agreement to be signed by the
 35 director and any student who has received an award to work in an
 36 eligible county health facility or in a health manpower shortage
 37 area that would require a period of obligated professional service
 38 in the areas of California designated by the Health Manpower
 39 Policy Commission as deficient in mental health care services. The
 40 obligated professional service shall be in direct patient care. The



1 agreement shall include a clause entitling the state to recover the
2 funds awarded plus the maximum allowable interest for failure to
3 begin or complete the service obligation.

4 (2) Maximum allowable amounts for scholarships, educational
5 loans, and loan repayment programs in order to assure the most
6 effective use of these funds.

7 (d) Applicants may be persons who are licensed mental health
8 service providers or graduates of advanced degree programs
9 specializing in mental health services.

10 128458. (a) In developing the program established pursuant
11 to this article, the Health Professions Education Foundation shall
12 solicit the advice of representatives of the Board of Behavioral
13 Science Examiners, the Board of Psychology, the Medical Board
14 of California, professional mental health care organizations, the
15 California Healthcare Association, the Chancellor of the
16 California Community Colleges, and the Chancellor of the
17 California State University. The foundation shall solicit the advice
18 of representatives who reflect the demographic, cultural, and
19 linguistic diversity of the state.

20 (b) The program shall include, but not be limited to, the
21 following components:

22 (1) A graduated loan forgiveness system in which a percentage
23 amount of any loan granted pursuant to this article may be forgiven
24 and in which the amount forgiven increases with the number of
25 years that a person commits to and works in the designated areas.

26 (2) The number of persons who may be considered for the
27 program shall be limited by the funds made available pursuant to
28 Section 128460.

29 128460. There is hereby established in the State Treasury the
30 Mental Health Practitioner Education Fund. The moneys in the
31 fund, upon appropriation by the Legislature, shall be available for
32 expenditure by the office for purposes of this article.

