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SENATE BILL NO. 535

Senate Amendments in [] — February 12, 2016

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of sections numbered 37.2-320 and 37.2-321, relating to the Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program.

Patron Prior to Engrossment—Senator Deeds

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 3 of Title 37.2 an article numbered 5, consisting of sections numbered 37.2-320 and 37.2-321, as follows:

Article 5.*Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program.***§ 37.2-320. Virginia Behavioral Health Practitioner Student Loan Repayment Fund.**

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Behavioral Health Practitioner Student Loan Repayment Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of awarding student loan repayment grants to eligible behavioral health practitioners through the Virginia Behavioral Health Practitioner Student Loan Repayment Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Commissioner.

§ 37.2-321. Virginia Behavioral Health Practitioner Student Loan Repayment Program.*A. As used in this section:*

"Eligible behavioral health practitioner" means an individual licensed or certified to provide behavioral health services in the Commonwealth.

"Fund" means the Virginia Behavioral Health Practitioner Student Loan Repayment Fund established in § 37.2-320.

B. Beginning January 1, 2017, an eligible behavioral health practitioner may apply to the Department for a grant from the Fund. Such grant shall be used for the purposes of student loan repayments and shall not exceed \$10,000 per recipient per year. Prior to the award of any grant, the applicant shall sign a contract in which he agrees to a [~~12-month~~ 24-month] employment obligation with a community services board, behavioral health authority, or Department facility in the Commonwealth or with an entity that has entered into a contract with a community services board, behavioral health authority, or Department facility in the Commonwealth to provide behavioral health services.

C. Grants shall be issued by the Department in the order that each completed eligible application [submitted by an eligible behavioral health practitioner] is received. The Department shall award no more than 250 grants per year. In the event that the amount of eligible grants requested in a fiscal year exceeds the funds available in the Fund, such grants shall be paid in the next fiscal year in which funds are available.

D. The Department shall develop [~~guidelines~~ regulations] setting forth the general requirements of qualifying for a grant including a grant application form, a certification form from the employing behavioral health facility, and an obligation contract. Such [~~guidelines~~ regulations] shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.). Specific provisions of the obligation contract shall be developed by the Department in consultation with the Office of the Attorney General.

[2. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2016 by the General Assembly that becomes law.]

ENGROSSED

SB535E