

CALIFORNIA STATE BOARD OF BEHAVIORAL SCIENCES BILL ANALYSIS

BILL NUMBER: AB 2123 **VERSION:** AMENDED APRIL 7, 2022

AUTHOR: VILLAPUDUA **SPONSOR:** AUTHOR

RECOMMENDED POSITION: NONE

SUBJECT: BRINGING HEALTH CARE INTO COMMUNITIES ACT OF 2023

Summary: This bill creates the Bringing Health Care into Communities Act of 2023, which would provide housing grants to specified health professionals, to be used for mortgage payments for a permanent residence in a health professional shortage area for up to 5 years.

Existing Law:

- 1) Creates the Licensed Mental Health Service Provider Education Program within the Department of Health Care Access and Information (HCAI). (Health and Safety Code (HSC) §§128454(a))
- 2) Defines a “licensed mental health service provider” to include several types of licensed mental health professionals, including marriage and family therapists, associate marriage and family therapists, licensed clinical social workers, associate clinical social workers, licensed professional clinical counselors, and associate professional clinical counselors. (HSC §128454(b)(1))
- 3) Defines a “mental health professional shortage area” as an area given this designation by the Health Resources and Services Administration of the U.S. Department of Health and Human Services. (HSC §128454(b)(2))
- 4) Allows any licensed mental health service provider who provides direct patient care in a publicly funded facility or a mental health professional shortage area to apply for grants under this program to reimburse educational loans related to a career as a licensed mental health service provider. (HSC §128454(c))
- 5) Creates an additional account in the Mental Health Practitioner Education Fund, dependent on appropriation by the Legislature. Money from this account is to be used to provide grants to repay education loans for marriage and family therapists, associate marriage and family therapists, licensed clinical social workers, associate clinical social workers, licensed professional clinical counselors, and

associate professional clinical counselors who commit to providing direct patient care in a publicly funded facility or mental health professional shortage area for at least 24 months, and who were formerly in California's foster youth care system. (HSC §128455)

- 6) Establishes the California Housing Finance Agency (Agency) within the Business, Consumer Services and Housing Agency, and designates it the primary agency in the implementation of state housing policy. Its role is to make financing opportunities available for the construction, rehabilitation, and purchase of housing for persons of low or moderate income. (HSC §50154)

This Bill:

- 1) Creates the Bringing Health Care into Communities Act of 2023, to be administered by the California Housing Finance Agency (Agency). (HSC §§50260, 50261)
- 2) Under the program housing grants would be provided to specified health professionals to be used for mortgage payments for a permanent residence in a health professional shortage area, as designated by the Office of Statewide Health Planning and Development. (HSC §50261)
- 3) Provides that a health professional eligible for the grant is eligible for up to 5 years. (HSC §50261)
- 4) Provides that a health professional who begins receiving a housing grant for residency in a health professional shortage area is still eligible for up to 5 years, even if that area is no longer a health professional shortage area. (HSC §50261)
- 5) Specifies several types of health professionals are eligible for the housing grants, including primary care physicians, primary care dentists, primary care nurse practitioners, pharmacists, mental health providers, and behavioral health providers. (HSC §50262)
- 6) States the Act is operative upon appropriation by the Legislature. (HSC §50263)

Comment:

- 1) **Author's Intent.** In their fact sheet, the author's states that with this bill, they seek to ensure health professionals will become part of the communities they serve and to ensure rural residents have access to the healthcare they need and deserve. They note that California is a state in which over 75% of the land mass is classified as rural (Wilburn 2002), and that in 2020, California led the nation in federally designated Health Professional Shortage Areas.
- 2) **Funding Source Not Identified.** This bill does not currently identify a funding source.

- 3) **Clarification of the terms “Mental Health Providers” and “Behavioral Health Providers.”** The bill lists which health professional are eligible for the housing grants, and that list includes both “mental health providers” and “behavioral health providers.” However, these are general terms, and it is not clear who it includes. It may be helpful to specify further the types of mental health professionals that the author intends to include, as well as more specific qualifying criteria.
- 4) **Related Legislation.** There are several similar bills running this year that seek to address the mental health provider shortage through financial incentives:
- **AB 1635 (Nguyen)** creates a new account in the Mental Health Practitioner Education Fund to provide grants to repay education loans for specified Board licensees and registrants who commit to providing direct patient care for at least 24 months in an organization that provides mental health services to individuals who have been referred there by a suicide prevention hotline.
 - **AB 2222 (Reyes)** establishes a scholarship program for certain qualifying students enrolled in an in-state postgraduate program working to become LMFTs, LCSWs, or LPCCs if they commit to working in a California-based nonprofit setting for their required post degree hours of supervised experience.
 - **AB 2666 (Salas)** establishes a stipend program for students in behavioral health fields of study and practice, who are participating in internships or completing licensure hours, through unpaid positions, at federally qualified health centers, with priority to mental health professional shortage areas and underrepresented groups in the behavioral health workforce.
 - **SB 1229 (McGuire)** creates a grant program under HCAI to increase the number of mental health professionals serving children and youth. It proposes awarding grants of up to \$25,000 to post-graduate students enrolled in an accredited social work program, or a program designed to lead to licensure as an LMFT or LPCC if the student meets specified criteria, including agreeing to work in an eligible California-based nonprofit entity or a local education agency when gaining their required postgraduate supervised experience hours required for licensure.
- 5) **Previous Legislation**
- **AB 1188 (Chapter 557, Statutes of 2017)** increased the Mental Health Practitioner fee that LMFTs and LCSWs pay upon license renewal from \$10 to \$20. It also required LPCCs to pay a \$20 fee into the fund upon license renewal (they previously were not included in the program) and allows LPCCs and associate PCCs to apply for the loan repayment grant if they work in a mental health professional shortage area.

- **AB 2143 (Caballero, 2018)** proposed allowing psychiatric mental health nurse practitioners and physician assistants, who also hold a specified license with this Board or the Board of Psychology, and who work in a psychiatric mental health setting, to be eligible for the Mental Health Practitioner Education fund loan repayment grant program. The Board had taken an “oppose unless amended” position on this bill, and it was vetoed by the Governor.
- **AB 2608 (Chapter 585, Statutes of 2018)** created a new account under the Mental Health Practitioner Education Fund loan repayment grant program specifically for loan repayment grants for LMFT, LCSW, and LPCC licensees and registrants who were formerly in California’s foster youth care system.

6) Resources

Information about Health Professional Shortage Areas (Source: U.S. Department of Health and Human Services):

- <https://bhw.hrsa.gov/sites/default/files/bureau-health-workforce/workforce-shortage-areas/nhsc-hpsas-practice-sites.pdf>
- <https://data.hrsa.gov/topics/health-workforce/shortage-areas>

7) Support and Opposition

Support:

None at this time.

Opposition:

None at this time.

8) History

2022

04/07/22 From committee chair, with author's amendments: Amend, and re-refer to Com. on H. & C.D. Read second time and amended.

03/28/22 Re-referred to Coms. on H. & C.D. and HEALTH pursuant to Assembly Rule 96.

02/24/22 Referred to Com. on HEALTH.

02/16/22 From printer. May be heard in committee March 18.

02/15/22 Introduced. To print.

AMENDED IN ASSEMBLY APRIL 7, 2022
california legislature—2021–22 regular session

ASSEMBLY BILL

No. 2123

Introduced by Assembly Member Villapudua

February 15, 2022

An act to add Chapter 9 (commencing with Section 50260) to Part 1 of Division 31 of the Health and Safety Code, relating to health care availability.

legislative counsel's digest

AB 2123, as amended, Villapudua. Bringing Health Care into Communities Act of 2023.

Existing law establishes various programs, including the Family Homelessness Challenge Grants and Technical Assistance Program, with the goal of providing housing. Existing law charges various agencies with the administration of these programs, including the Department of Housing and Community Development and the California Housing Finance Agency. Existing law also establishes various programs to facilitate the expansion of the health care workforce in rural and underserved communities, including, but not limited to, the Health Professions Career Opportunity Program and the California Registered Nurse Education Program.

This bill, the Bringing Health Care into Communities Act of 2023, would establish the Bringing Health Care into Communities Program to be administered by the agency to provide housing grants to specified health professionals to be used for mortgage payments for a permanent residence in a health professional shortage area, as specified. Under the bill, a health professional would be eligible for a grant for up to 5 years.

The bill would make its provisions operative upon appropriation by the Legislature.

Vote: majority. 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) California continues to experience shortages of health
4 professionals, particularly *in primary care and* in areas declared
5 to be health professional shortage areas.

6 (b) Individuals living in health professional shortage areas have
7 reduced health outcomes due to the lack of availability of medical
8 care.

9 (c) Incentivizing health professionals to own homes in those
10 health professional shortage areas would encourage health
11 professionals to become permanently tied to and serving those
12 areas.

13 SEC. 2. Chapter 9 (commencing with Section 50260) is added
14 to Part 1 of Division 31 of the Health and Safety Code, to read:

15
16 Chapter 9. Bringing Health-care Care into Communities
17 Act of ~~2023~~. 2023
18

19 50260. This act shall be known, and may be cited, as the
20 Bringing Health Care into Communities Act of 2023.

21 50261. (a) The Bringing Health Care into Communities
22 Program is hereby established with the purpose of providing
23 housing assistance grants in accordance with this chapter.

24 (b) The agency shall administer the program. The agency shall
25 provide housing grants to health professionals listed in Section
26 50262 to be used for mortgage payments for a permanent residence
27 in a health professional shortage area, as designated by the Office
28 of Statewide Health Planning and Development in accordance with
29 existing office guidelines.

30 (c) A health professional eligible for a grant pursuant to this
31 chapter shall be eligible for up to five years.

32 (d) A health professional who begins receiving a housing grant
33 based on residency in a health professional shortage area is eligible

1 to continue to receive a housing grant pursuant to this chapter if
2 that area is no longer a health professional shortage area but shall
3 not receive a housing grant for more than five years.

4 50262. The following health professionals are eligible for
5 housing grants pursuant to this ~~chapter~~ *chapter*:

- 6 (a) Primary care physicians.
- 7 (b) ~~Dentists~~ *Primary care dentists*.
- 8 (c) Dental hygienists.
- 9 (d) ~~Physician~~ *Primary care physician* assistants.
- 10 (e) ~~Nurse~~ *Primary care nurse* practitioners.
- 11 (f) ~~Certified nurse midwives~~ *nurse-midwives*.
- 12 (g) Pharmacists.
- 13 (h) Mental health providers.
- 14 (i) Behavioral health providers.

15 50263. This chapter shall ~~be~~ *become* operative upon
16 appropriation by the ~~Legislature~~ *Legislature for the purpose of*
17 *implementing the provisions of this chapter*.

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