

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Mental
5 Health Graduate Education Scholarship Act.

6 Section 5. Purpose. The purpose of this Act is to establish
7 a program in the Department of Human Services to upgrade mental
8 health care services for all citizens of this State by
9 providing scholarships to graduate students in mental health
10 fields who agree to practice in areas of this State
11 demonstrating the greatest need for more mental health
12 services. The program shall encourage mental health
13 practitioners to locate in areas where mental health manpower
14 shortages exist in this State.

15 Section 10. Definitions. The following terms, whenever
16 used or referred to, have the following meanings, except where
17 the context clearly indicates otherwise:

18 "Advisory Council" means the Mental Health Consortium
19 Advisory Council created under Section 35 of this Act.

20 "Approved institution" means a public or private college or
21 university located in this State.

22 "Department" means the Department of Human Services.

1 "Designated shortage area" means an area designated by the
2 Secretary as a shortage area, a mental health underserved area,
3 or a critical mental health manpower shortage area, as defined
4 by the United States Department of Health and Human Services or
5 as further defined by the Illinois Department of Human Services
6 to enable it to effectively fulfill the purpose stated in
7 Section 5 of this Act. These areas may include the following:

8 (1) an urban or rural area;

9 (2) a population group; or

10 (3) a public or nonprofit private mental health
11 facility.

12 "Enrollment" means the establishment and maintenance of an
13 individual's status as a student in an approved institution,
14 regardless of the terms used at the institution to describe
15 such status.

16 "Fees" means those mandatory charges, in addition to
17 tuition, that all enrolled students must pay, including
18 required course or lab fees.

19 "Full-time enrollment" means enrollment by a student for at
20 least 9 hours per school term or as otherwise determined by the
21 institution of higher learning.

22 "Mental health employment obligation" means employment in
23 this State as a licensed professional counselor, licensed
24 clinical professional counselor, licensed clinical
25 psychologist, licensed social worker, licensed clinical social
26 worker, or licensed marriage and family therapist in direct

1 patient care in a human services capacity in a designated
2 shortage area for at least one year for each year of
3 scholarship assistance received through the program.

4 "Program" means the Mental Health Graduate Scholarship
5 Program.

6 "School term" means an academic term, such as a semester,
7 quarter, trimester, or number of clock hours, as defined by an
8 approved institution.

9 "Secretary" means the Secretary of Human Services.

10 "Student in good standing" means a student maintaining a
11 cumulative grade point average equivalent to at least the
12 academic grade of a "C".

13 "Total and permanent disability" means a physical or mental
14 impairment, disease, or loss of a permanent nature that
15 prevents employment with or without reasonable accommodation.
16 Proof of disability shall be a declaration from the federal
17 Social Security Administration, the Illinois Workers'
18 Compensation Commission, the federal Department of Defense, or
19 an insurer authorized to transact business in this State who is
20 providing disability insurance coverage to a contractor.

21 "Tuition" means the established charges of an institution
22 of higher learning for instruction at that institution.

23 Section 15. Creation of program; functions of Department.
24 The Mental Health Graduate Scholarship Program is created, to
25 be administered by the Department. The Department shall prepare

1 and supervise the issuance of public information about the
2 provisions of this Act, prescribe the form and regulate the
3 submission of applications for scholarships, determine the
4 eligibility of applicants, award the appropriate scholarships,
5 prescribe the contracts or other acknowledgments of
6 scholarship that an applicant is required to execute, and
7 determine whether all or any part of a recipient's scholarship
8 needs to be monetarily repaid or has been excused from
9 repayment and the extent of any repayment or excused repayment.
10 The Department may require a scholarship recipient to reimburse
11 the State for expenses, including, but not limited to,
12 attorney's fees, incurred by the Department or other agent of
13 this State for a successful legal action against the recipient
14 for a breach of any provision of the scholarship contract. In a
15 breach of contract, the Department may utilize referral to the
16 Department of Financial and Professional Regulation to revoke,
17 suspend, refuse to renew, place on probationary status, or take
18 other disciplinary action concerning the recipient's
19 credentials. The Department is authorized to make all necessary
20 and proper rules, not inconsistent with this Act, for the
21 efficient exercise of its functions under this Act.

22 Section 20. Scholarships.

23 (a) Beginning with the fall term of the 2009-2010 academic
24 year, the Department, in accordance with rules adopted by it
25 for this program, shall provide scholarships to individuals

1 selected from among those applicants who qualify for
2 consideration by showing all of the following:

3 (1) That the individual has been a resident of this
4 State for at least one year prior to application and is a
5 citizen or a lawful permanent resident alien of the United
6 States.

7 (2) That the individual enrolled in or accepted into a
8 mental health graduate program at an approved institution.

9 (3) That the individual agrees to meet the mental
10 health employment obligation.

11 (b) If in any year the number of qualified applicants
12 exceeds the number of scholarships to be awarded, the
13 Department shall, in consultation with the Advisory Council,
14 consider the following factors in granting priority in awarding
15 scholarships:

16 (1) Financial need, as shown on a standardized
17 financial needs assessment form used by an approved
18 institution.

19 (2) A student's merit, as shown through his or her
20 grade point average, class rank, and other academic and
21 extracurricular activities.

22 The Department may add to and further define these merit
23 criteria by rule.

24 (c) Unless otherwise indicated, scholarships shall be
25 awarded to recipients at approved institutions for a period of
26 up to 2 years if the recipient is enrolled in a master's degree

1 program and up to 4 years if the recipient is enrolled in a
2 doctoral degree program.

3 Section 25. Requirements for scholarship recipients.

4 (a) Within 12 months after graduation from a graduate
5 program in mental health, any recipient who accepts a
6 scholarship under this Act shall begin meeting the required
7 mental health employment obligation. In order to defer his or
8 her continuous employment obligation, a recipient must request
9 the deferment in writing from the Department. A recipient shall
10 notify program staff within 30 days if he or she spends up to 4
11 years in military service before or after graduation. If a
12 recipient receives funding through the program for a higher
13 graduate degree, the mental health employment obligation shall
14 be deferred until he or she is no longer enrolled or has
15 graduated. The recipient must begin meeting the required mental
16 health graduate employment obligation no later than 6 months
17 after the end of the deferment.

18 (b) Any person who fails to fulfill the mental health
19 employment obligation shall pay to the Department an amount
20 equal to the amount of scholarship funds received per year for
21 each unfulfilled year of the mental health employment
22 obligation, together with interest at 7% per year on the unpaid
23 balance. Payment must begin within 6 months following the date
24 of the occurrence initiating the repayment. All repayments must
25 be completed within 6 years from the date of the occurrence

1 initiating the repayment. However, this obligation may be
2 deferred and reevaluated every 6 months if the failure to
3 fulfill the employment obligation results from involuntarily
4 leaving the profession due to a decrease in the number of
5 counselors, psychologists, social workers, or marriage and
6 family therapists employed in this State or if the failure to
7 fulfill the mental health employment obligation results from
8 total and permanent disability. The repayment obligation must
9 be excused if the failure to fulfill the mental health
10 employment obligation results from the death or adjudication as
11 incompetent of the person holding the scholarship. No claim for
12 repayment may be filed against the estate of such a decedent or
13 incompetent.

14 (c) Each person applying for a scholarship under this Act
15 shall be provided with a copy of this Section at the time of
16 application for the benefits of the scholarship.

17 Section 30. Amount of scholarship. To determine the
18 scholarship amount, the Department shall consider tuition and
19 fee charges at colleges and universities statewide and
20 projected living expenses. Scholarship amounts for students
21 pursuing graduate degrees in human services at a college or
22 university shall include 75% of the weighted tuition and fees
23 charged by public universities in this State plus the uniform
24 living allowance used in the Monetary Award Program formula and
25 annually reported by the Illinois Student Assistance

1 Commission. The Department may provide that scholarships shall
2 be on a quarterly or semi-annual basis and must be contingent
3 upon the student's diligently pursuing mental health studies
4 and being a student in good standing. Scholarship awards may be
5 provided to part-time students; the amount shall be determined
6 by applying the proportion represented by the part-time
7 enrollment to full-time enrollment ratio to the average per
8 term scholarship amount for a student in the same mental health
9 degree category.

10 Section 35. Advisory Council.

11 (a) The Mental Health Consortium Advisory Council is
12 created, consisting of 9 members. Two members must be appointed
13 by the Illinois Mental Health Counselors Association, 2 members
14 must be appointed by the Illinois Psychological Association, 2
15 members must be appointed by the National Association of Social
16 Workers-Illinois Chapter, 2 members must be appointed by the
17 Illinois Association for Marriage and Family Therapy, and one
18 public member must be appointed by the Secretary.

19 (b) The Advisory Council shall assist and advise the
20 Department in the administration of this Act.

21 Section 40. Student enrollment and obligations of
22 institutions.

23 (a) An approved institution is free to accept a student who
24 is a scholarship recipient under this Act in compliance with

1 its own admissions requirements, standards, and policies. The
2 Department may disburse a scholarship for tuition and fees to
3 the approved institution directly for the payment of tuition
4 and other necessary fees or for credit against the student's
5 obligation for such tuition and fees, and, upon acceptance
6 thereof, the approved institution shall be contractually
7 obligated (i) to provide facilities and instruction to the
8 student on the same terms as to other students generally and
9 (ii) to provide the notices and information described in this
10 Section.

11 (b) If, in the course of an academic period, a student
12 enrolled in an approved institution pursuant to a scholarship
13 granted under this Act shall for any reason cease to be a
14 student in good standing, the institution shall promptly give
15 written notice to the Department concerning such change of
16 status and the reason thereof.

17 (c) A student to whom a renewal scholarship has been
18 awarded may either re-enroll in the institution that he or she
19 attended during the preceding year or enroll in any other
20 approved institution; and, in either event, the institution
21 accepting the student for such enrollment or re-enrollment
22 shall notify the Department of such acceptance.

23 Section 45. Program funding. A maximum of \$100,000 of money
24 for scholarships under this Act shall come from the Department
25 of Financial and Professional Regulation's licensure fund

1 collected for counselor, psychologist, social worker, and
2 marriage and family therapist licensure.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.