
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 536 Session of
2017

INTRODUCED BY BREWSTER, YUDICHAK, TARTAGLIONE, RAFFERTY, COSTA
AND BROWNE, MARCH 24, 2017

REFERRED TO EDUCATION, MARCH 24, 2017

AN ACT

1 Providing for Commonwealth support for an Alcohol and Drug
2 Addiction Counselor Loan Forgiveness Program for qualified
3 alcohol and drug addiction loan forgiveness applicants.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Alcohol and
8 Drug Addiction Counselor Loan Forgiveness Program Act.

9 Section 2. Findings and declaration of purpose.

10 The General Assembly finds and declares that:

11 (1) Community-based alcohol and drug addiction treatment
12 services offer lifelong support and opportunities for a
13 meaningful quality of life, in fulfillment of Federal and
14 State laws.

15 (2) Treatment of alcohol and other drug addiction is a
16 crucial investment in our health care, in the stability of
17 our families and in protecting the public safety.

18 (3) A qualified and stable work force is the key to

1 quality alcohol and drug addiction counseling services.

2 (4) The pool of qualified staff members has diminished,
3 while alcohol and drug addiction has become an epidemic.

4 (5) The number of college students planning to enter the
5 alcohol and drug addiction counseling professions appears to
6 be inadequate to meet the need for staff members in this
7 Commonwealth.

8 (6) Demand from industry and other opportunities attract
9 potential staff members away from these professions.

10 (7) Payment of a portion of student loans for alcohol
11 and drug addiction counselors serves the important public
12 purpose of encouraging new staff members to pursue careers in
13 this Commonwealth.

14 Section 3. Definitions.

15 The following words and phrases when used in this act shall
16 have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Agency." The Pennsylvania Higher Education Assistance
19 Agency.

20 "Counselor." A counselor assistant, counselor or clinical
21 supervisor.

22 "Licensed alcohol and drug addiction treatment facility." An
23 alcohol or drug addiction treatment facility licensed by the
24 Department of Health to provide addiction treatment services.

25 "Qualified alcohol and drug addiction loan forgiveness
26 applicant." A person who meets all of the following criteria:

27 (1) Is a resident of this Commonwealth.

28 (2) Has successfully completed a two-year or four-year
29 academic degree or diploma or graduate level academic degree
30 or diploma at an accredited college or university.

1 (3) Has been hired as a full-time counselor by a
2 licensed alcohol and drug addiction treatment facility.

3 (4) Has successfully completed the first six months of
4 full-time employment as a counselor at a licensed alcohol and
5 drug addiction treatment facility and remains in good
6 standing with the facility.

7 (5) Has borrowed through and has a current outstanding
8 balance with guaranteed Stafford or consolidation loan
9 programs administered by the Pennsylvania Higher Education
10 Assistance Agency.

11 "Qualified applicant." A qualified alcohol and drug
12 addiction loan forgiveness applicant.

13 Section 4. Alcohol and Drug Addiction Counselor Loan
14 Forgiveness Program.

15 (a) Components.--Components shall be as follows:

16 (1) A qualified applicant who is selected for the
17 Alcohol and Drug Addiction Counselor Loan Forgiveness Program
18 in accordance with this act shall be eligible for payment by
19 the agency of a portion of the debt incurred by the applicant
20 through the agency-administered guaranteed Stafford or
21 consolidation loan programs for the education necessary to be
22 an alcohol and drug addiction counselor in this Commonwealth
23 if the qualified applicant enters into a contract with the
24 agency that requires the qualified recipient to remain
25 employed as a full-time alcohol and drug addiction counselor
26 in this Commonwealth for a period of two consecutive years.

27 (2) The agency may forgive a proportional part of the
28 applicant's loan so that the loan may be entirely forgiven
29 over four years of full-time staff work. No more than \$7,500
30 shall be forgiven in a year, and no more than \$30,000 shall

1 be forgiven for an applicant.

2 (3) Payments shall be made in accordance with the
3 procedures established by the agency.

4 (4) The contract entered into with the agency under
5 paragraph (1) shall be considered a contract with the
6 Commonwealth and shall include the following terms:

7 (i) The recipient shall agree to be employed by a
8 licensed alcohol and drug addiction treatment facility
9 located within this Commonwealth for a period of no less
10 than four years in the field.

11 (ii) The recipient shall permit the agency to
12 determine compliance with the work requirement and all
13 other terms of the contract.

14 (iii) Upon the recipient's death or total or
15 permanent disability, the agency shall nullify the
16 service obligation of the recipient.

17 (iv) If the recipient is convicted of or pleads
18 guilty or no contest to a felony, the agency shall have
19 the authority to terminate the recipient's service in the
20 program and demand repayment of the amount of the loan as
21 of the date of the conviction.

22 (v) Loan recipients who fail to begin or complete
23 the obligations contracted for shall pay to the agency
24 the amount of the loan received under the terms of the
25 contract under this section. Providing false information
26 or misrepresentation on an application or verification of
27 service shall be deemed a default. Determination as to
28 the time of the default shall be made by the agency.

29 (b) Limitation.--A loan forgiveness award under this act
30 shall not be made for a loan that is in default at the time of

1 the application. Loan forgiveness provided under the provisions
2 of this act shall not be concurrently awarded to a recipient of
3 another Commonwealth-provided loan forgiveness program.

4 Section 5. Tax applicability.

5 Loan forgiveness repayments by a student shall not be
6 considered taxable income for purposes of Article II of the act
7 of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of
8 1971.

9 Section 6. Annual report.

10 (a) Development of report.--The agency shall publish a
11 report by October 1, 2017, and every year thereafter for the
12 immediately preceding fiscal year. The report shall include
13 information regarding the operation of the program, including:

14 (1) The number and amount of alcohol and drug addiction
15 counselor contracts executed and renewed for alcohol and drug
16 addiction counselor loan forgiveness applicants.

17 (2) The number of defaulted alcohol and drug addiction
18 counselor contracts, reported by cause.

19 (3) The number of full-time staff employees of licensed
20 alcohol and drug addiction facilities participating in the
21 program, reported by type of institution attended, including
22 four-year educational institutions, community colleges and
23 independent two-year colleges.

24 (4) The number and type of enforcement actions taken by
25 the agency.

26 (b) Submission.--The annual report shall be submitted to the
27 Governor, the chair and minority chair of the Appropriations
28 Committee of the Senate, the chair and minority chair of the
29 Appropriations Committee of the House of Representatives, the
30 chair and minority chair of the Education Committee of the

1 Senate, the chair and minority chair of the Education Committee
2 of the House of Representatives, the chair and minority chair of
3 the Health and Human Services Committee of the Senate, the chair
4 and minority chair of the Health Committee of the House of
5 Representatives and the chair and minority chair of the Human
6 Services Committee of the House of Representatives.

7 Section 7. Appeals.

8 The provisions of this act shall be subject to 22 Pa. Code
9 Ch. 121 (relating to student financial aid).

10 Section 8. Loan forgiveness awards.

11 Recipients of loan forgiveness awards under this act shall be
12 those alcohol and drug addiction counselors who are working in
13 and who have received a satisfactory rating from a licensed
14 alcohol and drug addiction treatment facility. Alcohol and drug
15 addiction counselors shall be required to submit documentation
16 of eligibility as the agency may require, including
17 documentation to indicate full-time employment, as full-time
18 employment is defined by a licensed alcohol or drug addiction
19 treatment facility. The documentation shall be presented to the
20 agency in the form of a letter from the applicant's employer
21 stating that the applicant is employed by a licensed alcohol and
22 drug addiction facility and that the applicant performs the
23 applicant's duties in a satisfactory manner.

24 Section 9. Funding.

25 Loan forgiveness awards under this act may be made to the
26 extent that funds are appropriated by the General Assembly and
27 are sufficient to cover the administration of the program. In
28 the event that funding is insufficient to fully fund
29 administration and all eligible applicants, priority shall be
30 given to renewal applicants. Thereafter, the agency shall

1 utilize a random lottery system for determining which applicants
2 receive loan forgiveness awards.

3 Section 10. Responsibility of agency.

4 The agency shall administer the Alcohol and Drug Addiction
5 Counselor Loan Forgiveness Program established by this act and
6 shall adopt regulations, policies, procedures and forms as are
7 necessary and not inconsistent with the provisions of this act.

8 Section 11. Effective date.

9 This act shall take effect in 60 days.