
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1350 Session of
2023

INTRODUCED BY HOWARD, SAPPEY, SANCHEZ, SCHLOSSBERG, FREEMAN,
MADDEN, HILL-EVANS, HANBIDGE, KINSEY, NEILSON, CIRESI,
CERRATO, CEPEDA-FREYTIZ, KINKEAD, FLEMING, KHAN AND OTTEN,
JUNE 7, 2023

REFERRED TO COMMITTEE ON EDUCATION, JUNE 7, 2023

AN ACT

1 Establishing the Behavioral Welfare Educational Loan Lenience
2 Program; and imposing duties on the Pennsylvania Higher
3 Education Assistance Agency.

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 Behavioral
8 Welfare Educational Loan Lenience Program (BWELL) Act.

9 Section 2. Definitions.

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

13 "Agency." The Pennsylvania Higher Education Assistance
14 Agency.

15 "Human services field." A field of study at an accredited
16 college or university that, once completed, allows an individual
17 to be hired in any of the professions enumerated under section

1 3(b) (5) .

2 "Program." The Behavioral Welfare Educational Loan Lenience
3 Program established under section 3.

4 "Qualified applicant." An individual who meets all of the
5 criteria under section 3(b) .

6 "Recipient." A qualified applicant who is selected by the
7 agency for participation in the program.

8 "Residential treatment facility." An inpatient health care
9 facility located in this Commonwealth that provides therapy and
10 treatment for emotional disorders, mental illnesses or other
11 behavioral problems.

12 Section 3. Behavioral Welfare Educational Loan Lenience
13 Program.

14 (a) Establishment.--The Behavioral Welfare Educational Loan
15 Lenience Program is established within the agency.

16 (b) Qualifications.--To qualify for the program, an
17 applicant must make an application to the agency and must meet
18 all of the following criteria:

19 (1) Be a resident of this Commonwealth.

20 (2) Have completed at least half the credit hours needed
21 to earn an undergraduate academic degree or diploma in social
22 work, sociology, counseling, psychology, nursing or any other
23 degree in the human services field.

24 (3) Have been hired as an employee of a residential
25 treatment facility in this Commonwealth and work a minimum of
26 20 hours per week.

27 (4) Have a recommendation from the faculty of the
28 residential treatment facility in which the applicant is
29 employed or from a professor under whom the applicant has
30 taken coursework from among the degrees listed in paragraph

1 (2), if currently studying.

2 (5) Be employed by, or have been hired by, a residential
3 treatment facility as any of the following:

4 (i) A caseworker.

5 (ii) A dietitian or nutritionist.

6 (iii) A psychiatric aide.

7 (iv) A health information manager.

8 (v) A licensed social worker.

9 (vi) A licensed clinical social worker.

10 (vii) A licensed counselor, psychologist or
11 therapist.

12 (viii) A direct care staffer.

13 (ix) A residential treatment facility administrator.

14 (x) A registered nurse.

15 (xi) A registered nurse practitioner.

16 (xii) A clinical nurse specialist.

17 (xiii) A psychiatric mental health advance practice
18 registered nurse with a clinical nurse specialist
19 certification.

20 (c) Program components.--

21 (1) An application must be made to the agency on or
22 before the deadline for submittal of the application as
23 established by the agency for participation in the program.

24 The following apply:

25 (i) The application shall contain all of the
26 information required under subsection (b) and shall
27 demonstrate that the applicant satisfies the required
28 criteria.

29 (ii) A qualified applicant may not submit another
30 application after satisfactorily completing the program,

1 withdrawing from the program or failing to satisfactorily
2 comply with the program requirements as determined by the
3 agency.

4 (2) A recipient shall be eligible for a financial award
5 payment by the agency of a portion of the debt incurred by
6 the recipient through the agency-administered guaranteed
7 Stafford or consolidated loan programs if the recipient
8 enters into a contract with the agency that requires the
9 recipient to remain employed at a residential treatment
10 facility for a period of up to four years.

11 (3) The agency may grant an award to be applied directly
12 by the agency to the recipient's agency-administered
13 guaranteed Stafford or consolidated loan debt balance, or for
14 those recipients still enrolled in school, the award may be
15 direct cash assistance, to be awarded as follows:

16 (i) Not more than \$5,000 shall be awarded in the
17 first full calendar year beginning after the recipient is
18 selected by the agency for participation in the program.

19 (ii) Not more than \$10,000 shall be awarded in the
20 second full calendar year beginning after the recipient
21 is selected by the agency for participation in the
22 program.

23 (iii) Not more than \$15,000 shall be awarded in the
24 third full calendar year beginning after the recipient is
25 selected by the agency for participation in the program.

26 (iv) Not more than \$20,000 shall be awarded in the
27 fourth full calendar year beginning after the recipient
28 is selected by the agency for participation in the
29 program.

30 (v) Each amount under this paragraph shall be

1 adjusted annually for inflation in accordance with the
2 Consumer Price Index for All Urban Consumers (CPI-U) for
3 the United States for all items as published by the
4 United States Department of Labor, Bureau of Labor
5 Statistics, for the previous 12-month period.

6 (4) Payments shall be made in accordance with the
7 procedures established by the agency.

8 (5) No financial award payment shall be made by the
9 agency and no applicant shall be considered a qualified
10 applicant or participate in the program unless the applicant
11 contracts for the following terms with the Commonwealth
12 through the agency:

13 (i) The applicant shall agree to be employed at a
14 qualified residential treatment facility for a period of
15 no less than one year.

16 (ii) The applicant shall permit the agency to
17 determine compliance with the work requirement and all
18 other terms or requirements deemed necessary by the
19 agency to perform its obligations under this act.

20 (iii) Upon the applicant's death or total and
21 permanent disability, the agency shall nullify the
22 service obligation of the applicant.

23 (iv) If the applicant is convicted of or pleads
24 guilty or no contest to a felony, the agency shall have
25 the authority to terminate the applicant's service in the
26 program and demand repayment of the amount of the
27 financial award as of the date of the conviction.

28 (v) An applicant who fails to begin or complete the
29 obligations contracted for shall pay to the agency the
30 amount of the financial award received under the terms of

1 the contract. The following apply:

2 (A) Providing false information or
3 misrepresentation on an application or verification
4 of service shall be deemed a default.

5 (B) Determination as to the time of the default
6 shall be made by the agency.

7 (6) Every recipient shall certify annually to the agency
8 that the recipient continues to meet the qualifications for
9 participation in the program for each year that the recipient
10 continues to participate in the program.

11 (d) Limitation.--A financial award under this act shall not
12 be made for a tuition loan that is in default at the time of
13 application.

14 Section 4. Tuition payment awards.

15 (a) Employment.--Tuition payment awards under this act shall
16 be awarded to recipients who:

17 (1) are working in and have received a satisfactory
18 rating from a qualified residential treatment facility; or

19 (2) have been hired by a qualified residential treatment
20 facility.

21 (b) Documentation.--Recipients shall submit documentation of
22 eligibility as the agency may require, including documentation
23 to indicate employment. The documentation shall be presented to
24 the agency in the form of a letter from the recipient's employer
25 stating that the recipient is employed by a qualified
26 residential treatment facility and that the recipient performs
27 duties in a satisfactory manner.

28 Section 5. Tax applicability.

29 A financial award payment under the program shall not be
30 considered taxable income for the purposes of Article III of the

1 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code
2 of 1971.

3 Section 6. Student financial aid.

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

6 Section 7. Annual report.

7 (a) Requirements.--No later than October 1, 2024, and each
8 October 1 thereafter, the agency shall publish a report
9 regarding the operation of the program for the immediately
10 preceding fiscal year.

11 (b) Contents.--A report under this section shall include the
12 following information:

13 (1) The number and dollar amount of contracts executed
14 and renewed for qualified applicants.

15 (2) The number of defaulted contracts, reported by
16 cause.

17 (3) The number of employed staff participating in the
18 program, reported by position title, level of education and
19 type of residential treatment facility in which the recipient
20 is employed.

21 (4) The number and type of enforcement actions taken by
22 the agency.

23 (c) Submittal.--A report under this section shall be
24 submitted to the following:

25 (1) The Governor.

26 (2) The chairperson and minority chairperson of the
27 Appropriations Committee of the Senate.

28 (3) The chairperson and minority chairperson of the
29 Appropriations Committee of the House of Representatives.

30 (4) The chairperson and minority chairperson of the

1 Education Committee of the Senate.

2 (5) The chairperson and minority chairperson of the
3 Education Committee of the House of Representatives.

4 (6) The chairperson and minority chairperson of the
5 Health and Human Services Committee of the Senate.

6 (7) The chairperson and minority chairperson of the
7 Health Committee of the House of Representatives.

8 (8) The chairperson and minority chairperson of the
9 Human Services Committee of the House of Representatives.

10 Section 8. Funding.

11 Tuition payment awards under this act shall be made to the
12 extent that money is appropriated by the General Assembly and is
13 sufficient to cover the administration of the program. If
14 funding is insufficient to fully fund the administration and all
15 qualified applicants, the agency shall utilize a random lottery
16 system for determining which qualified applicants receive
17 tuition reimbursement awards.

18 Section 9. Responsibility of agency.

19 The agency shall administer the program and shall adopt
20 regulations, policies, procedures and forms as are necessary to
21 implement the program, which are not inconsistent with the
22 provisions of this act.

23 Section 10. Effective date.

24 This act shall take effect in 60 days.