

BILL ANALYSIS

C.S.H.B. 1879
By: Darby
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The current mental health workforce in Texas is not meeting the critical demand for essential mental health services, and the pipeline for training the additional workforce is insufficient. The state is investing in new mental health facilities without a long-term plan for the personnel needed to support the facilities. Allowing licensed marriage and family therapist associates, licensed master social workers, and licensed professional counselor associates under clinical supervision to be reimbursed through Medicaid while completing their clinical training will incentivize graduates to become clinicians and could increase the number of providers who are able to serve Texans receiving Medicaid. C.S.H.B. 1879 seeks to provide for this change.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1879 amends the Human Resources Code to require the Health and Human Services Commission (HHSC) to assure that a Medicaid recipient may select one of the following to perform the services or procedures the selected person is licensed and authorized by law to perform:

- a licensed marriage and family therapist associate who is working toward fulfilling the supervised practice requirements to be a licensed marriage and family therapist;
- a licensed master social worker who is actively pursuing the education and training to be a licensed clinical social worker; or
- a licensed professional counselor associate who is working toward fulfilling the supervised practice requirements to be a licensed professional counselor.

The bill requires HHSC to provide reimbursement under Medicaid to such a provider selected by a Medicaid recipient, including a federally qualified health center as defined by federal law, for the provision of covered counseling services performed by such a person described by the bill and requires HHSC to ensure that the provider is reimbursed at a rate equal to 70 percent of the reimbursement rate established for a licensed psychiatrist or licensed psychologist for providing similar services. The bill requires these reimbursement requirements to be liberally construed.

C.S.H.B. 1879 updates the provision requiring HHSC, subject to appropriations, to assure that a Medicaid recipient may select a licensed master social worker to perform any covered health

care service or procedure the person is authorized by law to perform to make the requirement applicable instead with respect to a licensed clinical social worker.

C.S.H.B. 1879 provides for the delayed implementation of any provision for which an applicable state agency determines a federal waiver or authorization is necessary for implementation until the waiver or authorization is requested and granted.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1879 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and substitute require that a Medicaid recipient be allowed to elect to receive a covered service or procedure from a licensed master social worker or from a licensed professional counselor who meet certain criteria, the substitute also includes in the scope of the requirement a licensed marriage and family therapist associate who is working toward fulfilling the supervised practice requirements to be a licensed marriage and family therapist, whereas the introduced did not.

The substitute revises provisions in the introduced requiring HHSC reimbursement for a person selected under the bill's provisions by a Medicaid recipient to provide a covered service or procedure as follows:

- whereas the introduced required the reimbursement to be provided for any covered health care service or procedure that the provider is authorized by law to perform, the substitute requires the reimbursement to be provided instead for the provision of covered counseling services performed by the person; and
- the substitute specifies that a federally qualified health center is included among the providers eligible to receive the reimbursement for the provision of covered counseling services to a recipient, which was not specified in the introduced.

The substitute includes a provision absent from the introduced that replaces a reference to a licensed master social worker with a reference to a licensed clinical social worker in current law requiring HHSC, subject to appropriations, to assure that a Medicaid recipient may select certain persons to perform any covered health care service or procedure the person is authorized by law to perform.