

By: Darby, King of Uvalde, Murr, Dean

H.B. No. 1879

Substitute the following for H.B. No. 1879:

By: Noble

C.S.H.B. No. 1879

A BILL TO BE ENTITLED

AN ACT

relating to the provision of counseling services by certain providers under Medicaid and reimbursement for those services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 32.027, Human Resources Code, is amended by amending Subsection (l) and adding Subsection (m) to read as follows:

(l) Subject to appropriations, the commission shall assure that a recipient of medical assistance under this chapter may select a licensed psychologist, a licensed marriage and family therapist, as defined by Section 502.002, Occupations Code, a licensed professional counselor, as defined by Section 503.002, Occupations Code, or a licensed clinical ~~master~~ social worker, as defined by Section 505.002, Occupations Code, to perform any health care service or procedure covered under the medical assistance program if the selected person is authorized by law to perform the service or procedure. This subsection shall be liberally construed.

(m) The commission shall assure that a recipient of medical assistance under this chapter may select the following to perform any health care service or procedure covered under the medical assistance program if the selected person is licensed and authorized by law to perform the service or procedure:

(1) a licensed marriage and family therapist

1 associate, as defined by Section 502.002, Occupations Code, who is
2 working toward fulfilling the supervised practice requirements to
3 be licensed as a licensed marriage and family therapist, as defined
4 by that section;

5 (2) a licensed master social worker, as defined by
6 Section 505.002, Occupations Code, who is actively pursuing the
7 education and training required to be licensed as a licensed
8 clinical social worker, as defined by that section; or

9 (3) a licensed professional counselor associate, as
10 described by 22 T.A.C. Chapter 681, who is working toward
11 fulfilling the supervised practice requirements to be licensed as a
12 licensed professional counselor, as defined by Section 503.002,
13 Occupations Code.

14 SECTION 2. Subchapter B, Chapter 32, Human Resources Code,
15 is amended by adding Section 32.079 to read as follows:

16 Sec. 32.079. REIMBURSEMENT FOR CERTAIN COUNSELING
17 SERVICES. (a) The commission shall provide reimbursement under
18 the medical assistance program to a provider, including a federally
19 qualified health center as defined by 42 U.S.C. Section
20 1396d(1)(2)(B), for the provision of covered counseling services
21 performed by a person described by Section 32.027(m) who is
22 selected by a recipient of medical assistance and who is authorized
23 by law to perform the services. The commission shall ensure that
24 the provider is reimbursed at a rate equal to 70 percent of the
25 reimbursement rate established for a licensed psychiatrist or
26 licensed psychologist for providing similar services.

27 (b) This section shall be liberally construed.

1 SECTION 3. If before implementing any provision of this Act
2 a state agency determines that a waiver or authorization from a
3 federal agency is necessary for implementation of that provision,
4 the agency affected by the provision shall request the waiver or
5 authorization and may delay implementing that provision until the
6 waiver or authorization is granted.

7 SECTION 4. This Act takes effect September 1, 2023.