By: Miles

S.B. No. 2132

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the provision of counseling services by certain

3 providers under Medicaid and reimbursement for those services.

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

5 SECTION 1. Section 32.027, Human Resources Code, is amended

6 by amending Subsection (l) and adding Subsection (m) to read as

7 follows:

8 (l) Subject to appropriations, the commission shall assure

9 that a recipient of medical assistance under this chapter may

10 select a licensed psychologist, a licensed marriage and family

11 therapist, as defined by Section 502.002, Occupations Code, a

12 licensed professional counselor, as defined by Section 503.002,

13 Occupations Code, or a licensed clinical [master] social worker, as

14 defined by Section 505.002, Occupations Code, to perform any health

15 care service or procedure covered under the medical assistance

16 program if the selected person is authorized by law to perform the

17 service or procedure.   This subsection shall be liberally

18 construed.

19 (m) The commission shall assure that a recipient of medical

20 assistance under this chapter may select the following to perform

21 any health care service or procedure covered under the medical

22 assistance program if the selected person is licensed and

23 authorized by law to perform the service or procedure:

24 (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 described by Section

19 32.027(l) who is a licensed marriage and family therapist, licensed

20 professional counselor, or licensed clinical social worker, is

21 selected by a recipient of medical assistance, and provides

22 counseling services covered under the medical assistance program

23 that the provider is authorized by law to perform. The commission

24 shall ensure that the provider is reimbursed at a rate equal to the

25 reimbursement rate established for a licensed psychiatrist or

26 licensed psychologist for providing similar services.

27   (b) The commission shall provide reimbursement under the

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1 medical assistance program to a provider described by Section
2 32.027(m) who is selected by a recipient of medical assistance and
3 who provides counseling services covered under the medical
4 assistance program that the provider is authorized by law to
5 perform. The commission shall ensure that the provider is
6 reimbursed at a rate equal to 70 percent of the reimbursement rate
7 established for a licensed psychiatrist or licensed psychologist
8 for providing similar services.
9 　　　　(c)　This section shall be liberally construed.
10 　　　　SECTION 3.　If before implementing any provision of this Act
11 a state agency determines that a waiver or authorization from a
12 federal agency is necessary for implementation of that provision,
13 the agency affected by the provision shall request the waiver or
14 authorization and may delay implementing that provision until the
15 waiver or authorization is granted.
16 　　　　SECTION 4.　This Act takes effect September 1, 2023.