By: Miles S.B. No. 348

A BILL TO BE ENTITLED

AN ACT

relating to the provision of services or procedures by certain mental and behavioral health providers under Medicaid and reimbursement for those services or procedures.

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

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

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

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

Sec. 32.079. REIMBURSEMENT FOR CERTAIN COUNSELING SERVICES. (a) The commission shall provide reimbursement under the medical assistance program to a provider described by Section 32.027(l) who is a licensed marriage and family therapist, licensed professional counselor, or licensed clinical social worker, is selected by a recipient of medical assistance, and provides a service or procedure covered under the medical assistance program that the provider is authorized by law to perform. The commission shall ensure that the provider is reimbursed at a rate equal to the reimbursement rate established for a licensed psychiatrist or licensed psychologist for providing similar services or

procedures.

(b) The commission shall provide reimbursement under the medical assistance program to a provider described by Section 32.027(m) who is selected by a recipient of medical assistance and who provides a service or procedure covered under the medical assistance program that the provider is authorized by law to perform. The commission shall 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 or procedures.

(c) This section shall be liberally construed.

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

SECTION 4. This Act takes effect September 1, 2027.