

119TH CONGRESS  
1ST SESSION

# S. 1797

To amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

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## IN THE SENATE OF THE UNITED STATES

MAY 15, 2025

Mr. BARRASSO (for himself and Mr. COONS) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanding Seniors Ac-  
5 cess to Mental Health Services Act”.

6 **SEC. 2. IMPROVED ACCESS TO MENTAL HEALTH SERVICES**

7 **UNDER THE MEDICARE PROGRAM.**

8 (a) ACCESS TO CLINICAL SOCIAL WORKER SERVICES  
9 PROVIDED TO RESIDENTS OF SKILLED NURSING FACILI-  
10 TIES.—

1           (1) EXCLUSION OF CLINICAL SOCIAL WORKER  
 2 SERVICES FROM THE SKILLED NURSING FACILITY  
 3 PROSPECTIVE PAYMENT SYSTEM.—Section  
 4 1888(e)(2)(A)(iii) of the Social Security Act (42  
 5 U.S.C. 1395yy(e)(2)(A)(iii)) is amended by adding  
 6 at the end the following new subclause:

7                           “(VII) Clinical social worker  
 8 services (as defined in section  
 9 1861(hh)(2)).”.

10           (2) CONFORMING AMENDMENT.—Section  
 11 1861(hh)(2) of the Social Security Act (42 U.S.C.  
 12 1395x(hh)(2)) is amended by striking “and other  
 13 than services furnished to an inpatient of a skilled  
 14 nursing facility which the facility is required to pro-  
 15 vide as a requirement for participation”.

16           (b) ACCESS TO THE COMPLETE SET OF CLINICAL  
 17 SOCIAL WORKER SERVICES.—Section 1861(hh)(2) of the  
 18 Social Security Act (42 U.S.C. 1395x(hh)(2)), as amended  
 19 by subsection (a)(2), is amended—

20           (1) by striking “for the diagnosis and treatment  
 21 of mental illnesses (other than services” and insert-  
 22 ing “, including services for the diagnosis and treat-  
 23 ment of mental illnesses or services for health and  
 24 behavior assessment and intervention (identified as  
 25 of January 1, 2023, by HCPCS codes 96156,

1       96158–96161, 96164–96168, and 96170–96171  
2       (and any succeeding codes)) but not including serv-  
3       ices”; and

4               (2) by striking “inpatient of a hospital)” and  
5       inserting “inpatient of a hospital,”.

6       (c) EFFECTIVE DATE.—The amendments made by  
7       this section shall apply to items and services furnished on  
8       or after January 1, 2026.

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