

106TH CONGRESS  
1ST SESSION

# H. R. 2945

To amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services under part B of the Medicare Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 1999

Mr. DEAL of Georgia (for himself and Mr. STRICKLAND) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services under part B of the Medicare Program, and for other purposes.

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 “Seniors Mental Health  
5 Access Improvement Act of 1999”.

1 **SEC. 2. COVERAGE OF MARRIAGE AND FAMILY THERAPIST**  
2 **SERVICES UNDER PART B.**

3 (a) COVERAGE OF SERVICES.—Section 1861(s)(2) of  
4 the Social Security Act (42 U.S.C. 1395x(s)(2)) is  
5 amended—

6 (1) in subparagraph (S), by striking “and” at  
7 the end;

8 (2) in subparagraph (T), by striking the period  
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new sub-  
11 paragraph:

12 “(U) marriage and family therapist serv-  
13 ices (as defined in subsection (uu)(1));”.

14 (b) DEFINITION.—Section 1861 of such Act (42  
15 U.S.C. 1395x) is amended by adding at the end thereof  
16 the following new subsection:

17 “Marriage and Family Therapist Services

18 “(uu)(1) The term ‘marriage and family therapist  
19 services’ means services performed by a marriage and  
20 family therapist (as defined in paragraph (2)) for the diag-  
21 nosis and treatment of mental illnesses, which the mar-  
22 riage and family therapist is legally authorized to perform  
23 under State law (or the State regulatory mechanism pro-  
24 vided by State law) of the State in which such services  
25 are performed, as would otherwise be covered if furnished  
26 by a physician or as an incident to a physician’s profes-

1 sional service, but only if no facility or other provider  
2 charges or is paid any amounts with respect to the fur-  
3 nishing of such services.

4 “(2) The term ‘marriage and family therapist’ means  
5 an individual who—

6 “(A) possesses a master’s or doctoral degree  
7 which qualifies for licensure or certification as a  
8 marriage and family therapist pursuant to State  
9 law;

10 “(B) after obtaining such degree has performed  
11 at least two years of clinical supervised experience in  
12 marriage and family therapy; and

13 “(C)(i) is licensed or certified as a marriage  
14 and family therapist in the State in which marriage  
15 and family therapist services are performed, or

16 “(ii) in the case of a State that does not pro-  
17 vide for such licensure or certification, meets such  
18 other criteria as the Secretary establishes.”.

19 (c) PROVISION FOR PAYMENT UNDER PART B.—Sec-  
20 tion 1832(a)(2)(B) of such Act (42 U.S.C.  
21 1395k(a)(2)(B)) is amended by adding at the end the fol-  
22 lowing new clause:

23 “(v) marriage and family therapist  
24 services;”.

1 (d) AMOUNT OF PAYMENT.—Section 1833(a)(1) of  
 2 such Act (42 U.S.C. 13951(a)(1)) is amended—

3 (1) by striking “and (S)” and inserting “(S)”;

4 and

5 (2) by inserting before the semicolon at the end  
 6 the following: “, and (T) with respect to marriage  
 7 and family therapist services under section  
 8 1861(s)(2)(U), the amounts paid shall be 80 percent  
 9 of the lesser of the actual charge for the services or  
 10 75 percent of the amount determined for payment of  
 11 a psychologist under clause (L)”.

12 (e) EXCLUSION OF MARRIAGE AND FAMILY THERA-  
 13 PIST SERVICES FROM SKILLED NURSING FACILITY PRO-  
 14 SPECTIVE PAYMENT SYSTEM.—Section 1888(e)(2)(A)(ii)  
 15 of such Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended  
 16 by striking “qualified psychologist services” and inserting  
 17 “qualified psychologist services, marriage and family ther-  
 18 apist services (as defined in section 1861(uu)(1))”.

19 **SEC. 3. COVERAGE OF MARRIAGE AND FAMILY THERAPIST**  
 20 **SERVICES PROVIDED IN CERTAIN SETTINGS.**

21 (a) RURAL HEALTH CLINICS.—Section  
 22 1861(aa)(1)(B) of the Social Security Act (42 U.S.C.  
 23 1395x(aa)(1)(B)) is amended by striking “Secretary,”  
 24 and inserting “Secretary) or marriage and family thera-  
 25 pist (as defined in subsection (uu)(2)),”.

1           (b)               HOSPICE               PROGRAMS.—Section  
2   1861(dd)(2)(B)(i)(III)   of   such   Act   (42   U.S.C.  
3   1395x(dd)(2)(B)(i)(III)) is amended by striking “work-  
4   er,” and inserting “worker or marriage and family thera-  
5   pist (as defined in subsection (uu)(2))”.

6   **SEC. 4. AUTHORIZATION OF MARRIAGE AND FAMILY**  
7                               **THERAPISTS TO DEVELOP DISCHARGE PLANS**  
8                               **FOR POST-HOSPITAL SERVICES.**

9           Section 1861(ee)(2)(G) of the Social Security Act (42  
10   U.S.C. 1395x(ee)(2)(G)) is amended by striking “social  
11   worker,” and inserting “social worker, marriage and fam-  
12   ily therapist (as defined in subsection (uu)(2)),”.

13   **SEC. 5. EFFECTIVE DATE.**

14           The amendments made by this Act apply with respect  
15   to services furnished on or after January 1, 2000.

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