

## **BILL ANALYSIS**

Senate Research Center

H.B. 1879  
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Health & Human Services  
5/16/2023  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The current mental health workforce in Texas is not meeting the critical demand for essential mental health services, and the pipeline for training the additional workforce is insufficient. The state is investing in new mental health facilities without a long-term plan for the personnel needed to support the facilities. Allowing licensed marriage and family therapist associates, licensed master social workers, and licensed professional counselor associates under clinical supervision to be reimbursed through Medicaid while completing their clinical training will incentivize graduates to become clinicians and could increase the number of providers who are able to serve Texans receiving Medicaid. H.B. 1879 seeks to provide for this change.

H.B. 1879 amends current law relating to the provision of counseling services by certain providers under Medicaid and reimbursement for those services.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

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

(l) Refers to a licensed clinical social worker, rather than a licensed master social worker.

(m) Requires the Health and Human Services Commission (HHSC) to assure that a recipient of medical assistance under Chapter 32 (Medical Assistance Program) is authorized to select the following to perform any health care service or procedure covered under the medical assistance program, including a service or procedure performed at a federally qualified health center as defined by 42 U.S.C. Section 1396d(l)(2)(B), 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 (Definitions), 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 (General Definitions), Occupations Code.

SECTION 2. Amends Subchapter B, Chapter 32, Human Resources Code, by adding Section 32.079, as follows:

Sec. 32.079. REIMBURSEMENT FOR CERTAIN COUNSELING SERVICES. (a) Requires HHSC to 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. Requires HHSC to 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.

(b) Requires that this section be liberally construed.

SECTION 3. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes delay of implementation until such a waiver or authorization is granted.

SECTION 4. Effective date: September 1, 2023.