

117TH CONGRESS
1ST SESSION

H. R. 2035

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2021

Ms. LEE of California (for herself, Mr. BISHOP of Georgia, Ms. MCCOLLUM, Mr. MEEKS, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mrs. WATSON COLEMAN, Ms. SCANLON, Mr. TONKO, Mr. KILMER, Mr. TRONE, Mrs. AXNE, Mr. DEFAZIO, Ms. SEWELL, Mr. COHEN, Mr. CÁRDENAS, Ms. NORTON, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on Energy and 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

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 “Improving Access to
5 Mental Health Act of 2021”.

1 **SEC. 2. IMPROVED ACCESS TO MENTAL HEALTH SERVICES**
 2 **UNDER THE MEDICARE PROGRAM.**

3 (a) ACCESS TO CLINICAL SOCIAL WORKERS.—Sec-
 4 tion 1833(a)(1)(F)(ii) of the Social Security Act (42
 5 U.S.C. 1395l(a)(1)(F)(ii)) is amended by striking “75
 6 percent of the amount determined for payment of a psy-
 7 chologist under clause (L)” and inserting “85 percent of
 8 the fee schedule amount provided under section 1848”.

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

12 (1) IN GENERAL.—Section 1888(e)(2)(A)(ii) of
 13 the Social Security Act (42 U.S.C.
 14 1395yy(e)(2)(A)(ii)) is amended by inserting “clin-
 15 ical social worker services,” after “qualified psychol-
 16 ogist services,”.

17 (2) CONFORMING AMENDMENT.—Section
 18 1861(hh)(2) of the Social Security Act (42 U.S.C.
 19 1395x(hh)(2)) is amended by striking “and other
 20 than services furnished to an inpatient of a skilled
 21 nursing facility which the facility is required to pro-
 22 vide as a requirement for participation”.

23 (c) ACCESS TO THE COMPLETE SET OF CLINICAL SO-
 24 CIAL WORKER SERVICES.—Section 1861(hh)(2) of the So-
 25 cial Security Act (42 U.S.C. 1395x(hh)(2)) is further
 26 amended by striking “for the diagnosis and treatment of

1 mental illnesses (other than services” and inserting “(in-
2 cluding services for the diagnosis and treatment of mental
3 illnesses or services for health and behavior assessment
4 and intervention (identified as of January 1, 2021, by
5 HCPCS codes 96150 through 96161 (and any succeeding
6 codes)), but not including services”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to items and services furnished on
9 or after January 1, 2022.

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