

1-1 By: Darby, et al. (Senate Sponsor - Sparks) H.B. No. 1879
 1-2 (In the Senate - Received from the House May 8, 2023;
 1-3 May 9, 2023, read first time and referred to Committee on Health &
 1-4 Human Services; May 21, 2023, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-6 May 21, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1879 By: Sparks

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the provision of counseling services by certain
 1-22 providers under Medicaid and reimbursement for those services.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 32.027, Human Resources Code, is amended
 1-25 by amending Subsection (l) and adding Subsection (m) to read as
 1-26 follows:

1-27 (l) Subject to appropriations, the commission shall assure
 1-28 that a recipient of medical assistance under this chapter may
 1-29 select a licensed psychologist, a licensed marriage and family
 1-30 therapist, as defined by Section 502.002, Occupations Code, a
 1-31 licensed professional counselor, as defined by Section 503.002,
 1-32 Occupations Code, or a licensed clinical [master] social worker, as
 1-33 defined by Section 505.002, Occupations Code, to perform any health
 1-34 care service or procedure covered under the medical assistance
 1-35 program if the selected person is authorized by law to perform the
 1-36 service or procedure. This subsection shall be liberally
 1-37 construed.

1-38 (m) The commission shall assure that a recipient of medical
 1-39 assistance under this chapter may select the following to perform
 1-40 any health care service or procedure covered under the medical
 1-41 assistance program, including a service or procedure performed at a
 1-42 federally qualified health center as defined by 42 U.S.C. Section
 1-43 1396d(1)(2)(B), if the selected person is licensed and authorized
 1-44 by law to perform the service or procedure:

1-45 (1) a licensed marriage and family therapist
 1-46 associate, as defined by Section 502.002, Occupations Code, who is
 1-47 working toward fulfilling the supervised practice requirements to
 1-48 be licensed as a licensed marriage and family therapist, as defined
 1-49 by that section;

1-50 (2) a licensed master social worker, as defined by
 1-51 Section 505.002, Occupations Code, who is actively pursuing the
 1-52 education and training required to be licensed as a licensed
 1-53 clinical social worker, as defined by that section; or

1-54 (3) a licensed professional counselor associate, as
 1-55 described by 22 T.A.C. Chapter 681, who is working toward
 1-56 fulfilling the supervised practice requirements to be licensed as a
 1-57 licensed professional counselor, as defined by Section 503.002,
 1-58 Occupations Code.

1-59 SECTION 2. Subchapter B, Chapter 32, Human Resources Code,
 1-60 is amended by adding Section 32.079 to read as follows:

2-1 Sec. 32.079. REIMBURSEMENT FOR CERTAIN COUNSELING
2-2 SERVICES. (a) Subject to Subsection (b), the commission shall
2-3 provide reimbursement under the medical assistance program to a
2-4 provider described by Section 32.027(m) who is selected by a
2-5 recipient of medical assistance and who provides a service or
2-6 procedure covered under the medical assistance program that the
2-7 provider is authorized by law to perform. The commission shall
2-8 ensure that the provider is reimbursed at a rate equal to 50 percent
2-9 of the reimbursement rate established for a licensed psychiatrist
2-10 or licensed psychologist for providing similar services.

2-11 (b) The commission shall ensure that reimbursement provided
2-12 to a provider under Subsection (a) is limited to not more than 3,000
2-13 hours or, if applicable, the number of hours of clinical practice or
2-14 other experience the provider is required to complete to qualify
2-15 for the applicable license.

2-16 (c) This section shall be liberally construed.

2-17 SECTION 3. If before implementing any provision of this Act
2-18 a state agency determines that a waiver or authorization from a
2-19 federal agency is necessary for implementation of that provision,
2-20 the agency affected by the provision shall request the waiver or
2-21 authorization and may delay implementing that provision until the
2-22 waiver or authorization is granted.

2-23 SECTION 4. This Act takes effect September 1, 2023.

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