

117TH CONGRESS
1ST SESSION

S. 870

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

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2021

Ms. STABENOW (for herself, Mr. BARRASSO, and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Finance

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”.

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

7 **UNDER THE MEDICARE PROGRAM.**

8 (a) ACCESS TO CLINICAL SOCIAL WORKERS.—Sec-
9 tion 1833(a)(1)(F)(ii) of the Social Security Act (42
10 U.S.C. 1395l(a)(1)(F)(ii)) is amended by striking “75

1 percent of the amount determined for payment of a psy-
 2 chologist under clause (L)” and inserting “85 percent of
 3 the fee schedule amount provided under section 1848”.

4 (b) ACCESS TO CLINICAL SOCIAL WORKER SERVICES
 5 PROVIDED TO RESIDENTS OF SKILLED NURSING FACILI-
 6 TIES.—

7 (1) IN GENERAL.—Section 1888(e)(2)(A)(ii) of
 8 the Social Security Act (42 U.S.C.
 9 1395yy(e)(2)(A)(ii)) is amended by inserting “clin-
 10 ical social worker services,” after “qualified psychol-
 11 ogist services,”.

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

18 (c) ACCESS TO THE COMPLETE SET OF CLINICAL SO-
 19 CIAL WORKER SERVICES.—Section 1861(hh)(2) of the So-
 20 cial Security Act (42 U.S.C. 1395x(hh)(2)) is further
 21 amended by striking “for the diagnosis and treatment of
 22 mental illnesses (other than services” and inserting “(in-
 23 cluding services for the diagnosis and treatment of mental
 24 illnesses or services for health and behavior assessment
 25 and intervention (identified as of January 1, 2021, by

1 HCPCS codes 96150 through 96161 (and any succeeding
2 codes)), but not including services”.

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

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