

118TH CONGRESS
1ST SESSION

H. R. 3432

To amend title XVIII of the Social Security Act to ensure coverage of mental and behavioral health services furnished through telehealth.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2023

Ms. MATSUI (for herself and Mr. JOHNSON of Ohio) 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 ensure coverage of mental and behavioral health services furnished through telehealth.

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 “Telemental Health
5 Care Access Act of 2023”.

1 **SEC. 2. ENSURING COVERAGE FOR MENTAL AND BEHAV-**
2 **IORAL HEALTH SERVICES FURNISHED**
3 **THROUGH TELEHEALTH.**

4 (a) IN GENERAL.—Section 1834(m)(7) of the Social
5 Security Act (42 U.S.C. 1395m(m)(7)) is amended—

6 (1) by striking “MENTAL HEALTH SERVICES”
7 and all that follows through “The geographic” and
8 inserting “MENTAL AND BEHAVIORAL HEALTH SERV-
9 ICES FURNISHED THROUGH TELEHEALTH.—The ge-
10 ographic”;

11 (2) by striking “subject to subparagraph (B),”;

12 (3) by inserting “, or for the provision of behav-
13 ioral health services” after “or treatment of a men-
14 tal health disorder”; and

15 (4) by striking subparagraph (B).

16 (b) EFFECTIVE DATE.—The amendments made by
17 subsection (a) shall take effect as if included in the enact-
18 ment of section 123 of division CC of the Consolidated
19 Appropriations Act, 2021 (Public Law 116–260).

20 **SEC. 3. STUDY AND REPORT ON UTILIZATION OF MENTAL**
21 **AND BEHAVIORAL HEALTH SERVICES FUR-**
22 **NISHED THROUGH TELEHEALTH.**

23 Not later than 1 year after the date of the enactment
24 of this Act, the Secretary of Health and Human Services
25 shall submit to Congress a report on the utilization of
26 mental and behavioral health services furnished through

1 telehealth under section 1834(m)(7) of such Act (42
2 U.S.C. 1395m(m)(7)), that includes any recommendations
3 of the Secretary regarding—

4 (1) fraud or abuse prevention with respect to
5 such services; and

6 (2) additional funding that the Office of Inspec-
7 tor General of the Department of Health and
8 Human Services may require for purposes of con-
9 ducting audits, investigations, and other oversight
10 and enforcement activities with respect to the fur-
11 nishing of such services.

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