

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7233
OFFERED BY M . _____**

Add at the end the following new sections:

1 **SEC. ____ . GUIDANCE TO STATES ON SUPPORTING MENTAL,**
2 **EMOTIONAL, AND BEHAVIORAL HEALTH**
3 **SERVICES, AND ON THE AVAILABILITY OF**
4 **TELEHEALTH UNDER MEDICAID.**

5 Not later than January 1, 2024, the Secretary of
6 Health and Human Services shall issue guidance to States
7 on how to expand the provision of mental, emotional, and
8 behavioral health services covered under State plans (or
9 waivers of such plans) under title XIX of the Social Secu-
10 rity Act (42 U.S.C. 1396 et seq.), including a description
11 of best practices for—

12 (1) effective programs for the provision of such
13 services;

14 (2) provision of such services to underserved
15 communities;

16 (3) flexibilities for children’s hospitals and other
17 providers to expand access to such services while en-
18 suring high quality and safety; and

1 (4) recruitment and retention of providers of
2 such services.

3 **SEC. ____ . ENSURING CHILDREN RECEIVE TIMELY ACCESS**
4 **TO CARE.**

5 (a) GUIDANCE TO STATES ON FLEXIBILITIES TO EN-
6 SURE PROVIDER CAPACITY TO PROVIDE PEDIATRIC MEN-
7 TAL, EMOTIONAL, AND BEHAVIORAL CRISIS CARE.—Not
8 later than July 1, 2024, the Secretary of Health and
9 Human Services shall provide guidance to States on exist-
10 ing flexibilities under State plans (or waivers of such
11 plans) under title XIX of the Social Security Act (42
12 U.S.C. 1396 et seq.) to support children in crisis or in
13 need of intensive mental, emotional, or behavioral health
14 services.

15 (b) ENSURING CONSISTENT REVIEW AND STATE IM-
16 PLEMENTATION OF EARLY AND PERIODIC SCREENING,
17 DIAGNOSTIC, AND TREATMENT SERVICES.—Section
18 1905(r) of the Social Security Act (42 U.S.C. 1396d(r))
19 is amended by adding at the end the following: “The Sec-
20 retary shall, not later than January 1, 2025, and not later
21 than January 1 each year thereafter, review implementa-
22 tion of the requirements of this subsection by States, in-
23 cluding such requirements relating to services provided by
24 a managed care entity, identify and disseminate best prac-
25 tices for ensuring comprehensive coverage of services,

1 identify gaps and deficiencies in meeting Federal require-
2 ments, and provide guidance to States on addressing iden-
3 tified gaps and disparities and meeting Federal coverage
4 requirements in order to ensure children have access to
5 behavioral health services.”.

