HOUSE DOCKET, NO. 1646 FILED ON: 1/20/2011

HOUSE . . . . . No. 1417

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balser

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the coordination of children's mental health care and clinicians.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Ruth B. Balser	*12th Middlesex*
Frank I. Smizik	*15th Norfolk*
Brian M. Ashe	*2nd Hampden*
Thomas A. Golden, Jr.	*16th Middlesex*
Denise Provost	*27th Middlesex*
Tom Sannicandro	*7th Middlesex*
Angelo M. Scaccia	*14th Suffolk*
Jennifer E. Benson	*37th Middlesex*
James J. O'Day	*14th Worcester*
Kay Khan	*11th Middlesex*
Martha M. Walz	*8th Suffolk*
Timothy J. Toomey, Jr.	*26th Middlesex*
James B. Eldridge	☐ *[District]* ☐
Anne M. Gobi	*5th Worcester*
Jonathan Hecht	*29th Middlesex*
Jennifer L. Flanagan	

	[District]
Jason M. Lewis	*31st Middlesex*
Elizabeth A. Malia	*11th Suffolk*
Walter F. Timilty	*7th Norfolk*
Cory Atkins	*14th Middlesex*
Alice K. Wolf	*25th Middlesex*
David B. Sullivan	*6th Bristol*

HOUSE DOCKET, NO. 1646 FILED ON: 1/20/2011

HOUSE . . . . . No. 1417

By Ms. Balser of Newton, a petition (accompanied by bill, House, No. 1417) of Ruth B. Balser and others relative to the coordination of mental health care for children. Mental Health and Substance Abuse.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3586* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to the coordination of children's mental health care and clinicians.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 22 of chapter 32A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word “setting”, in line 85, the following words: -

and, for persons under the age of 19, shall include collateral services

SECTION 2. Subsection (i) of said section 22 of said chapter 32A, as so appearing, is hereby amended by striking out the last paragraph.

SECTION 3. Said section 22 of said chapter 32A, as so appearing, is hereby amended by adding the following subsection:—

Under this section, the following words shall have the following meanings unless the context requires otherwise:-

“Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes in duration, by a licensed mental health professional with parties determined by the licensed mental health professional to be necessary to make a diagnosis, and develop and implement a treatment plan.

15 “Licensed mental health professional”, a licensed physician who specializes in the
16 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a
17 licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed
18 marriage and family therapist.

19 SECTION 4. Chapter 118E of the General Laws, as so appearing, is amended by
20 inserting after section 10F the following section:—

21 Section 10G. (a) The division shall provide coverage for collateral services performed by
22 a licensed mental health professional for persons under 19 years of age. Nothing contained in this
23 section shall be construed to abrogate any obligation to provide coverage for mental health
24 services pursuant to any law or regulation of the commonwealth or the United States or under the
25 terms or provisions of any policy, contract, or certificate.

26 (b) Under this section, the following words shall have the following
27 meanings unless the context requires otherwise:-

28 “Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes in
29 duration, by a licensed mental health professional with parties determined by the licensed mental
30 health professional to be necessary to make a diagnosis, and develop and implement a treatment
31 plan.

32 “Licensed mental health professional”, a licensed physician who specializes
33 in the practice of psychiatry, a licensed psychologist, a licensed independent clinical social
34 worker, a licensed mental health counselor, or a licensed nurse mental health clinical specialist or
35 a licensed marriage and family therapist.

36 SECTION 5. Section 47B of chapter 175 of the General Laws, as so appearing , is hereby
37 amended by inserting after the word “setting”, in lines 98 and 99, the following words:-

38 and, for persons under the age of 19, shall include collateral services.

39 SECTION 6. Subsection (i) of said chapter 47B of said chapter 175, as so appearing, is
40 hereby amended by striking out the second and third paragraphs.

41 SECTION 7. Said section 47B of said chapter 175, as so appearing, is hereby further
42 amended by adding the following 2 subsections:—

43 (j) Under this section, the following words shall have the following meanings unless the
44 context requires otherwise:-

45 “Collateral services”, face-to-face or telephonic consultation, for at least 15 minutes of
46 duration, by a licensed mental health professional with parties determined by the licensed mental
47 health professional to be necessary to make a diagnosis, and develop and implement a treatment
48 plan.

49 “Licensed mental health professional”, a licensed physician who specializes in the
50 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a
51 licensed mental health counselor, or a licensed nurse mental health clinical specialist or a
52 licensed marriage and family therapist.

53 (k) For the purposes of this section, psychopharmacological services and
54 neuropsychological assessment services shall be treated as a medical benefit and shall be covered
55 in a manner identical to all other medical services.

56 SECTION 8. Section 8A of chapter 176A of the General Laws, as so appearing, is hereby
57 amended by inserting after the word “setting”, in lines 92 and 93, the following words: -

58 and, for persons under the age of 19, shall include collateral services.

59 SECTION 9. Subsection (i) of said section 8A of said chapter 176A, as so appearing, is
60 hereby amended by striking out the second and third paragraphs.

61 SECTION 10. Said section 8A of said chapter 176A, as so appearing, is hereby further
62 amended by adding the following 2 subsections:—

63 (j) Under this section, the following words shall have the following meaning unless the
64 context requires otherwise:-

65 “Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes of
66 duration, by a licensed mental health professional with parties determined by the licensed mental
67 health professional to be necessary to make a diagnosis, and develop and implement a treatment
68 plan.

69 “Licensed mental health professional”, a licensed physician who specializes in the
70 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a
71 licensed mental health counselor, or a licensed nurse mental health clinical specialist or a
72 licensed marriage and family therapist.

73 (k) For the purposes of this section, psychopharmacological services and
74 neuropsychological assessment services shall be treated as a medical benefit and shall be covered
75 in a manner identical to all other medical services.

76 SECTION 11. Section 4A of chapter 176B of the General Laws, as so appearing, is
77 hereby amended by inserting after the word “setting”, in lines 95 and 96, the following words:-

78 and, for persons under the age of 19, shall include collateral services.

79 SECTION 12. Subsection (i) of said section 4A of said chapter 176B, as so appearing, is
80 hereby amended by striking out the second and third paragraphs.

81 SECTION 13. Said section 4A of said chapter 176B, as so appearing, is hereby further
82 amended by adding the following 2 subsections:—

83 (j) Under this section, the following words shall have the following meanings unless the
84 context requires otherwise:-

85 "Collateral services", face-to-face or telephonic consultation, of at least 15 minutes of
86 duration, by a licensed mental health professional with parties determined by the licensed mental
87 health professional to be necessary to make a diagnosis, and develop and implement a treatment
88 plan.

89 "Licensed mental health professional", a licensed physician who specializes in the
90 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a
91 licensed mental health counselor, or a licensed nurse mental health clinical specialist or a
92 licensed marriage and family therapist.

93 (k) For the purposes of this section, psychopharmacological services and
94 neuropsychological assessment services shall be treated as a medical benefit and shall be covered
95 in a manner identical to all other medical services.

96 SECTION 14. Section 4M of chapter 176G of the General Laws, as so appearing, is
97 hereby amended by inserting after the word "setting", in lines 89 and 90, the following words:-

98 and, for persons under the age of 19, shall include collateral services.

99 SECTION 15. Subsection (i) of said section 4M of said chapter 176G, as so appearing, is
100 hereby amended by striking out the second and third paragraphs.

101 SECTION 16. Said section 4M of said chapter 176G of the General Laws, as so
102 appearing, is hereby further amended by adding the following 2 subsections:—

103 (j) Under this section, the following words shall have the following meanings unless the
104 context requires otherwise:-

105 "Collateral services", face-to-face or telephonic consultation, of at least 15 minutes of
106 duration, by a licensed mental health professional with parties determined by the licensed mental
107 health professional to be necessary to make a diagnosis, and develop and implement a treatment
108 plan.

109 "Licensed mental health professional", a licensed physician who specializes in the
110 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a
111 licensed mental health counselor, or a licensed nurse mental health clinical specialist or a
112 licensed marriage and family therapist.

113 (k) For the purposes of this section, psychopharmacological services and
114 neuropsychological assessment services shall be treated as a medical benefit and shall be covered
115 in a manner identical to all other medical services.