SENATE DOCKET, NO. 374 FILED ON: 1/19/2011

SENATE . . . . . No. 990

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Tolman

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 children's mental health clinicians..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven A. Tolman	☐ *[District]* ☐
James B. Eldridge	☐ *[District]* ☐
Patricia D. Jehlen	☐ *[District]* ☐
Cory Atkins	*14th Middlesex*
Richard T. Moore	☐ *[District]* ☐
Mark C. Montigny	☐ *[District]* ☐
Susan C. Fargo	☐ *[District]*

	☐
Jennifer L. Flanagan	☐ *[District]* ☐
Frederick E. Berry	☐ *[District]* ☐
Karen E. Spilka	☐ *[District]* ☐
Martha M. Walz	*8th Suffolk*

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SENATE . . . . . No. 990

By Mr. Tolman, petition (accompanied by bill, Senate, No. 990) of Steven A. Tolman, James B. Eldridge, Patricia S. Jehlen, Cory Atkins and other members of the General Court for legislation relative to children's mental health clinicians [Joint Committee on Mental Health and Substance Abuse].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *757* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to children's mental health 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.

“Licensed mental health professional”, a licensed physician who specializes in the practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker,

16 a licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed
17 marriage and family therapist.

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

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

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

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

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

35 SECTION 5. Section 47B of chapter 175 of the General Laws, as so appearing ,
36 is hereby amended by inserting after the word "setting", in lines 98 and 99, the following words:-
37 "and, for persons under the age of 19, shall include collateral services."

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

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

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

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

48 "Licensed mental health professional", a licensed physician who specializes in
49 the practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker,

50 a licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed
51 marriage and family therapist.

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

55 SECTION 8. Section 8A of chapter 176A of the General Laws, as so appearing,
56 is hereby amended by inserting after the word “setting”, in lines 92 and 93, the following words:
57 - "and, for persons under the age of 19, shall include collateral services."

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

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

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

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

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

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

75 SECTION 11. Section 4A of chapter 176B of the General Laws, as so
76 appearing, is hereby amended by inserting after the word “setting”, in lines 95 and 96, the
77 following words:- "and, for persons under the age of 19, shall include collateral services."

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

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

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

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

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

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

95 SECTION 14. Section 4M of chapter 176G of the General Laws, as so
96 appearing, is hereby amended by inserting after the word “setting”, in lines 89 and 90, the
97 following words:- "and, for persons under the age of 19, shall include collateral services."

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

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

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

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

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

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