

ASSEMBLY, No. 3295

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

“Mental Health Access Act;” increases Medicaid reimbursement rates for certain evidence-based behavioral health services.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning behavioral health services and supplementing
2 Title 30 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. a. The reimbursement rate for a behavioral health care
8 service provided to an adult or a child that is billed to the State
9 Medicaid program shall be no less than the Medicare
10 reimbursement rate for the service, provided the following
11 conditions are met:

12 (1) The behavioral health care service is evidence-based;

13 (2) The service is limited to individual or group counseling
14 provided in an outpatient setting; and

15 (3) The billing provider is a substance abuse treatment facility
16 licensed by the Department of Human Services or a person licensed
17 or otherwise authorized pursuant to Title 45 of the Revised Statutes
18 to practice a health care profession.

19 b. As used in this section:

20 “Behavioral health care service” means a procedure or service
21 for the treatment of mental illness, emotional disorders, or drug or
22 alcohol abuse rendered by a person licensed or otherwise authorized
23 pursuant to Title 45 of the Revised Statutes to practice a health care
24 profession.

25 “Evidence-based” means an intervention that is included in the
26 National Registry of Evidence-based Programs and Practices
27 published by the federal Substance Abuse and Mental Health
28 Services Administration, or meets other criteria established by the
29 Commissioner of Human Services, in consultation with the
30 Commissioner of Children and Families, for evidence-based
31 treatment.

32 “Medicaid” means the Medicaid program established pursuant to
33 P.L.1968, c.413 (C.30:4D-1 et seq.).

34 “Medicare” means the federal Medicare program established
35 pursuant to Title XVIII of the Social Security Act (42 U.S.C.s.1395
36 et seq.).

37

38 2. The Commissioner of Human Services shall apply for such
39 State plan amendments or waivers as may be necessary to
40 implement the provisions of this act and to secure federal financial
41 participation for State Medicaid expenditures under the federal
42 Medicaid program.

43

44 3. The Commissioner of Human Services and the
45 Commissioner of Children and Families shall adopt rules and
46 regulations pursuant to the "Administrative Procedure Act"
47 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of
48 this act.

4. This act shall take effect on the first day of the fourth month next following the date of enactment, and shall apply to all services provided on or after the effective date, except that the Commissioner of Human Services and the Commissioner of Children and Families may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

STATEMENT

12 This bill, designated as the Mental Health Access Act, would
13 increase Medicaid reimbursement rates for certain evidence-based
14 behavioral health services under the State Medicaid program.

15 Under the bill, reimbursement rates could be no less than the
16 Medicare rate for the service, provided that the service meets
17 certain criteria.

Specifically, the bill would provide for increased reimbursement to licensed providers for individual or group counseling programs that are included in the National Registry of Evidence-based Programs and Practices published by the federal Substance Abuse and Mental Health Services Administration, or meet other criteria established by the Commissioner of Human Services, in consultation with the Commissioner of Children and Families, for evidence-based treatment.

26 The bill would take effect on the first day of the fourth month
27 next following the date of enactment, and would apply to all
28 services provided on or after the effective date.