

SENATE, No. 1121

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

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

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

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

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

18 b. As used in this section:

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

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

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

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

34
35 2. The Commissioner of Human Services shall apply for such
36 State plan amendments or waivers as may be necessary to
37 implement the provisions of this act and to secure federal financial
38 participation for State Medicaid expenditures under the federal
39 Medicaid program.

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

46
47 4. This act shall take effect on the first day of the fourth month
48 next following the date of enactment, and shall apply to all services

1 provided on or after the effective date, except that the
2 Commissioner of Human Services and the Commissioner of
3 Children and Families may take any anticipatory administrative
4 action in advance as shall be necessary for the implementation of
5 this act.

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STATEMENT

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

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

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

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