IN THE HOUSE OF REPRESENTATIVES

Ms. Matsu introduced the following bill; which was referred to the Committee on _____________________________

A BILL
To amend title XVIII of the Social Security Act to ensure coverage of mental and behavioral health services furnished through telehealth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Telemental Health Care Access Act of 2021”.
SEC. 2. ENSURING COVERAGE FOR MENTAL AND BEHAVIORAL HEALTH SERVICES FURNISHED THROUGH TELEHEALTH.

(a) IN GENERAL.—Section 1834(m)(7) of the Social Security Act (42 U.S.C. 1395m(m)(7)) is amended—

(1) by striking “MENTAL HEALTH SERVICES” and all that follows through “The geographic” and inserting “MENTAL AND BEHAVIORAL HEALTH SERVICES FURNISHED THROUGH TELEHEALTH.—The geographic”;

(2) by striking “subject to subparagraph (B),”;

(3) by inserting “, or for the provision of behavioral health services” after “or treatment of a mental health disorder”; and

(4) by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of section 123 of division CC of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

SEC. 3. STUDY AND REPORT ON UTILIZATION OF MENTAL AND BEHAVIORAL HEALTH SERVICES FURNISHED THROUGH TELEHEALTH.

Not later than 1 year after the first day after the end of the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)), the Secretary of Health and Human
Services shall submit to Congress a report on the utilization of mental and behavioral health services furnished through telehealth under section 1834(m)(7) of such Act (42 U.S.C. 1395m(m)(7)), that includes any recommendations of the Secretary regarding—

(1) fraud or abuse prevention with respect to such services; and

(2) additional funding that the Office of Inspector General of the Department of Health and Human Services may require for purposes of conducting audits, investigations, and other oversight and enforcement activities with respect to the furnishing of such services.