



Massachusetts Psychological Association

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Massachusetts Psychological Association 2017 – 2018 Legislative Agenda

The Massachusetts Psychological Association is dedicated to improving the lives of all people in the Commonwealth through advancing psychology as a science, as a profession, and as a means of promoting human welfare. In the 2017-2018 legislative session, MPA will focus on: improving *access to care* by increasing provision of services and addressing low reimbursement rates; improving *quality and continuity of care* by addressing gaps in coverage and provision of telehealth services; and, maintaining *consumer and professional protections* by preserving current standards for service providers, and minimizing unfair business practices and unreasonable liability for psychologists.

Access to Care. MPA will work to improve access to behavioral/mental health services and services for substance use disorders by insuring that parity is implemented and members of the Commonwealth have access to a full range of assessment and treatment services. The Attorney General's 2015 report on health care cost trends identified "historically low" reimbursement rates by health insurance companies and state agencies as a significant barrier to accessing care. MPA will pursue the implementation of rate structures that reflect the relative value of the services psychologists provide. MPA will also work towards greater timely access to services for all members of the Commonwealth, including, but not limited to, those who are economically disadvantaged; members of cultural, ethnic or racial minority groups; members of the LGBT community; and people who have disabilities.

Quality and Continuity of Care. Continuity of care is critical in producing high quality care and improved patient outcomes, and MPA will seek legislation that promotes more effective, efficient, and comprehensive care in all treatment settings. This effort will include legislation that addresses unfair business practices by health plans, such as disrupting patient care by requiring patients to switch providers after summarily canceling contracts with current providers. In addition, the rise of telehealth services is promising and has the potential to increase access to care, but could have a negative impact on the quality and continuity of care if it is structured in a way that lowers standards of care and hurts psychologists who are also maintaining a brick-and-mortar practice.

Consumer and Professional Protections. It is of utmost importance that members of the Commonwealth continue to receive mental health care by well-trained and skilled professionals. MPA will continue to oppose legislation that attempts to broaden the category of service providers to allow licensed or unlicensed practice by individuals without sufficient education and training. MPA will also work to protect psychologists by opposing, or working to amend, bills that would have the effect of creating unreasonable levels of liability. In addition, MPA will work to protect the livelihood of psychologists by limiting the ability of health plans to retract payments made in good faith, sometimes years after the services were provided. Such unfair and deceitful business practices dissuade psychologists from joining insurance panels, which further reduces access to quality care across the Commonwealth. MPA will also work to ensure compliance with state and federal laws and regulations that protect consumers and access to the most appropriate psychological services.

Proposed Action by MPA in the 2017 – 2018 Legislative Session

MPA's top 3 priorities for this legislative session are:

1. Anti-Clawback Legislation- MPA supports legislation that sets a limit on the ability of a health care plan to retract payments made in good faith (also referred to as clawbacks), after a defined period of time.
2. Telehealth Parity- MPA supports legislation that protects the provision of telehealth services by insuring parity in both services covered and reimbursement rates.
3. Continuity of Care- MPA supports legislation that protects continuity of care by requiring health plans to continue to provide payment for mental health services with an existing provider, following cancellation of the provider's contract.

Additional legislative and regulatory actions include:

- MPA opposes legislation that seeks to broaden current licensure restrictions to include providers without a sufficient level of training and education
- MPA supports legislation and/or regulatory changes that require state-set rates for educational evaluations to reflect actual market rates and to be adjusted regularly and fairly.
- MPA opposes legislation that creates unreasonable liability for psychologists when engaging in professionally-appropriate forms of health care.
- MPA supports legislation and/or regulatory changes that allow MassHealth to reimburse psychologists in independent practice for psychotherapy services and appropriate supervision of clinical providers
- MPA supports legislation that authorizes nurses to follow the written orders of a psychologist