Quarterly Advocacy Report
Q2 2020

Introduction
Welcome to the Texas Psychological Association’s (TPA) quarterly report. The information contained within is intended to provide a brief snapshot of the advocacy efforts conducted by TPA during each three-month period.

Regulatory Advocacy
Behavioral Health Executive Council
The Behavioral Health Executive Council (BHEC) continues to work extensively on its procedural rules, including those related to applications and licensing, renewals, discipline, fees, and general governance. In April, TPA’s Government Relations Consultant provided an outline of significant proposed rules to TPA members. In May, those rules were posted in the Texas Register. TPA submitted a letter to the Texas State Board of Examiners of Psychologists (TSBEP) and the Governor’s Regulatory Compliance Division expressing concern regarding the proposed fee structure. BHEC has extended an offer for TPA to be a part of an advisory committee on fees.

Additional comments were also submitted collectively by the mental health professional associations soon-to-be-regulated under BHEC. Recommendations included an impartiality and non-discrimination rule and limiting review of member board rules by BHEC.

This work would not be possible without the knowledgeable assistance of TPA’s BHEC/TSBEP Committee.

Texas State Board of Examiners of Psychologists
At the May TSBEP meeting, TPA’s Executive Director asked the Board to temporarily reduce internship hour requirements in light of COVID-19. TPA was one of thirteen states to ask the Commission on Accreditation and State Licensure Board to consider lowering the clinical hour requirement to 85% of typical years. At the time, some institutions had removed their students from training sites without offering alternatives. Ultimately, TSBEP voted to allow students to request an adjustment and the decision will be made on a case-by-case basis.

Texas Health and Human Services
In June, TPA submitted a letter to Texas Health and Human Services (HHS) regarding telehealth services in the Texas Medicaid Provider Procedures Manual that align with the implementation of SB 670, relating to telemedicine and telehealth services.

Our primary concern was that HHS failed to include rule language prohibiting a Managed Care Organization from limiting, denying, or reducing reimbursement for care based on a provider’s choice of platform, as required in the bill.
Texas Department of Insurance

In our last quarterly report, we mentioned TPA submitted a letter to the Texas Department of Insurance (TDI) commenting on the implementation of HB 10, relating to access to and benefits for mental health conditions and substance use disorders (85th Regular Session, 2017). We encouraged TDI to adopt the Six-Step Parity Compliance Guide to support health plan compliance efforts, and we asked that there be specific provisions related to comparing reimbursements between physicians and non-physician mental health providers.

TDI adopted the recommended Six-Step Compliance Guide. They also included specific language to address provider payment disparities, specifically mentioning it was accepted as a result of submission by two stakeholders!

In July, TPA joined several mental health and addiction stakeholders in reaffirming our support for TDI’s decision after negative feedback was received from health insurance companies.

COVID-19 Advocacy

TPA continues to lead in advocacy efforts by TPA staff, consultants, and members.

Q2 advocacy efforts include:

- A joint letter from the associations for mental health professionals to Governor Abbott calling on him to support continuity of care by directing TDI and Texas HHS to continue the utilization of telehealth, including accessing many services by phone-only.

- A joint letter from TPA and APA to Governor Abbott calling for him to extend the state’s temporary emergency waiver for at least 12 months after the public health emergency ends.

- A joint letter from mental health and substance use stakeholders across the state to Texas HHS Commissioner Wilson to extend current telehealth regulations that encourage the utilization of teleservices, including services by audio-only telephone.

Behind the scenes, TPA has:

- Continued communications with insurance companies like Blue Cross Blue Shield and Superior to provide reimbursement for telehealth
- Worked with TSBEP to address concerning language
- Continued coordination with other mental health professional groups in Texas
- Updated APA on TPA state advocacy efforts and prepared federal advocacy support

TPA continues to update its dedicated COVID-19 webpage with information for practitioners and helpful mental health resources. This quarter, TPA members produced six new blog posts, including a four-part series on the psychological impact of the pandemic by TPA’s Director of Professional Affairs.

These efforts are not possible without the support and information provided by TPA’s President, the Business of Practice Committee, Director of Professional Affairs,
the Public Education Committee, and many of TPA’s members. Several of TPA’s PSY-PAC Board Members were also crucial to TPA’s COVID-19 advocacy efforts this quarter.

The Pro Bono Project: COVID-19
TPA continues to offer its Pro Bono Project: COVID-19, which provides up to two hours of free mental health services to under or uninsured Texans. Individuals in need of support can visit TPA’s website for more information or email probono@texaspsyc.org. Services are generally provided by telephone.