**HB 1924**
As TPA’s primary bill this session, HB 1924 allows licensed psychologists to supervise predoctoral interns. Current law allows psychologists to bill for services that are delegated to provisionally licensed psychologists or early career psychologists. Now interns are included.

**HB 1449**
Pertaining to mental health professionals who conduct child custody evaluations, this bill overhauled the family law code that focused on how the courts deal with child custody matters. The new law requires that a child custody evaluation be provided, rather than the current social study, and defines which mental health professionals are eligible to conduct these evaluations.

**HB 7**
Being termed “the largest single tax repeal of the 84th legislative session,” this bill ends the $200 annual fee that psychologists (and other licensed professions) were required to pay as a “professional tax.” This new law went into effect on September 1, 2015.

**HB 574**
This legislation deals with the insurance companies that practice “de-listing.” HB 574 prohibits insurance companies, as a condition of their contractual agreement, from discussing with or communicating in good faith with a patient any information regarding the facilities, both in-house and out-of-house providers, for the treatment of the patient’s medical condition.

**HB 1998**
This bill would have given occupational therapists a niche in the mental health arena by classifying them as mental health professionals. OTs felt their work has a psychological foundation, and thus they should be classified as a “non-physician mental health provider.” TPA was instrumental in educating the legislature that, even though OTs provide a very important role in our health care environment, they are not qualified or trained as mental health providers and should not be recognized as such.

**SB 239**
This bill addresses the mental health professional shortage by incentivizing mental health professionals to stay in Texas, particularly in the rural areas of the state. It establishes a program that offers student loan repayment assistance for psychologists and other mental health providers. To be eligible for loan repayment assistance, the psychologists must: Provide services in a designated mental health professional shortage area; and provide care to Medicaid and CHIP clients; or provide care to persons committed to certain state-operated correctional facilities. The amount of repayment assistance will be: 1st year – 10%, 2nd year – 15%, 3rd year – 20%, 4th year – 25%, 5th year – 30%

**HB 1878**
HB 1878 passed with the understanding that school-based telemedicine, which utilizes technology to connect children, pediatricians, school nurses, and parents, allows a physician and school nurse to promptly diagnose children and ensure they receive appropriate follow-up treatment without requiring a parent to miss work, thus saving taxpayers money because of reduced costs of emergency room visits and improved health outcomes for children.

**HB 2703**
HB 2703 was introduced to create an independent licensure board for Board Certified Behavioral Analysts. Even though the bill’s legislative sponsor testified that he would be open for them to be under an existing regulatory board, the BCBAs objected to this and wanted the own regulatory board. We were able to stop the progression of this bill.

**HB 197**
This bill makes it easier for Texas college students to connect with mental health services in their communities and promotes cultural awareness and acceptance of students who have a mental-health need. All public institutions of higher education must post on their website information about mental health resources available to students, as well as the contact information for the local mental health authority.
How does HB 1924 fit into Medicaid and Medicare reimbursement?

**MEDICAID:**
Source: September 2015 Texas Medicaid Provider Procedures Manual; Behavioral Health, Rehabilitation, and Case Management Services Handbook: Chapter 6, Physician, Psychologist, and Licensed Psychological Associate (LPA) Providers: 6.2 Services, Benefits, Limitations, and Prior Authorization: 6.2.2 Psychologists, LPAs, and PLPs

6.2.2 Psychologists, LPAs, and PLPs
Psychologists who are licensed by the TSBEP and enrolled as Medicaid providers and LPAs and PLPs who are under the direct supervision of a psychologist are authorized to perform counseling and testing for mental illness or debility. Treatment does not include the practice of medicine.

The services provided by a social worker, psychiatric nurse, or mental health worker are not covered by Texas Medicaid and cannot be billed under the provider identifier of any other outpatient behavioral health provider.

Psychologists must not bill for services performed by students, interns, or licensed professionals under their supervision except for services provided by LPAs and PLPs. For mental health services, only the licensed psychologist and other Medicaid enrolled provider actually performing the service may bill Texas Medicaid. The services provided by an LCSW, LPC, or LMFT are reimbursable directly to the LCSW, LPC, or LMFT.

**MEDICARE:**
Source: Medicare Regulations and Guidance Manual – Medicare General Information, Eligibility, and Entitlement; Chapter 5 – Definitions; Section 70 – Physicians Defined

70 - Physician Defined (Rev. 1, 09-11-02)
Physician means doctor of medicine, doctor of osteopathy (including osteopathic practitioner), doctor of dental surgery or dental medicine (within the limitations in subsection §70.2), doctor of podiatric medicine (within the limitations in subsection §70.3), or doctor of optometry (within the limitations of subsection §70.5), and, with respect to certain specified treatment, a doctor of chiropractic legally authorized to practice by a State in which he/she performs this function. The services performed by a physician within these definitions are subject to any limitations imposed by the State on the scope of practice.

70.7 - Interns and Residents (Rev. 1, 09-11-02)
A. General
For Medicare purposes, the terms “interns” and “residents” include physicians participating in approved graduate training programs and physicians who are not in approved programs but who are authorized to practice only in a hospital setting; e.g., individuals with temporary or restricted licenses, or unlicensed graduates of foreign medical schools. Where a senior resident has a staff or faculty appointment or is designated, for example, a “fellow,” it does not change the resident’s status for the purposes of Medicare coverage and payment. As a general rule, services of interns and residents are paid as provider services by the intermediary.

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