



Office of the Governor
P.O. Box 12428
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March 16th, 2020

To: Governor Greg Abbott

We would like to thank Governor Abbott for his rapid response to the COVID-19 outbreak that is moving across the globe. We strongly believe that his leadership in declaring a state of disaster in Texas on March 13th helped our communities take the necessary steps towards implementing strategies to keep everyone safe. The best recommendationsⁱⁱ from the Centers for Disease Control (CDC), and echoed by other medical experts, stress the need to maintain “social distancing,” or slowing the spread of an infectious disease by limiting interactions with large groups of people. Governor Abbott’s decision to elevate the COVID-19 pandemic to a matter of state importance allows businesses, schools, organizations and many more to develop social distancing policies and procedures that place Texan’s health first.

Mental health therapy and counseling is both vital during this crisis and may create a health risk due to increased exposure. There are many stressors that impact a broad spectrum of people across our state and may cause a heightened state of anxiety and depression. Between those stressors, increased social isolation due to social distancing, and financial implications of the crisis more people will be seeking out mental health supports. With over 200 countiesⁱⁱⁱ either classified as a Mental Health Professional Shortage area in whole or part, it is critical that mental health services be available and maintained for all Texans. There are also many vulnerable Texans that, due to age, health history and other factors, make in-person therapy a risk, whereas therapy provided through telehealth would be the safer and more accessible option.

The CDC specifically cites the need to continue existing counseling or treatment: “People with preexisting mental health conditions should continue with their treatment plans during an emergency^{iv}.” These Texans with preexisting mental health conditions, if left without adequate support, may experience exacerbation of conditions that would send them to an already overburdened emergency room. Others may be going back to therapy, choosing to engage in it for the first time, or utilize it as a part of their own well-being process.

Because of this, we are petitioning the Governor to require that all State run health plans, those regulated by the Texas Division of Insurance (TDI), as well as policies serving State employees and retirees, commercial insurance, Employee Assistance Programs (EAP) and any other group plans allow all providers to deliver mental health counseling to members via telehealth. Telehealth is “the use of electronic information and telecommunications technologies to support long-distance clinical health care,”^v but does not include telephone therapy. Because of this gap, we also request that therapy via telephone be added to the list of covered modalities on an emergency basis. Many areas of Texas do not have adequate service to utilize video modalities and low-income Texans often cannot afford the service or equipment. In urban areas many people are working at home, overloading broadband systems. We

believe providing therapy through telehealth, as well as telephone therapy should be available to all during this crisis.

We further ask that no provider or insurance carrier impose any specific requirements for additional certification or training; or on the technologies used to deliver telehealth services, including any limitations on audio-only or live video technologies. Finally, we advise that rates of payment to providers for services delivered via telehealth should not be lower than the rates of payment established for services delivered via traditional in-person methods. Insurers should notify providers of any instructions necessary to facilitate billing for such telehealth.

We applaud the Governor for his rapid response and mobilization of state resources through the disaster declaration. We hope that he extends guidance to ensure that people can remain at home to safely access mental health services, and that providers can maintain parity in the reimbursement rates no matter how a therapy service is delivered. We are all here to support each other as we respond to the evolving crisis, and mental health providers across Texas want to remain a strong part of the health landscape to support people during this time of increased stress and social isolation. Thank you for your consideration in this most urgent matter.

Please contact us if you have questions or if any of our associations can be of assistance on any of these requests.

Signed,

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ⁱ <https://gov.texas.gov/news/post/governor-abbott-declares-state-of-disaster-in-texas-due-to-covid-19>

ⁱⁱ <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>

ⁱⁱⁱ <https://data.hrsa.gov/tools/shortage-area/hpsa-find>

^{iv} <https://emergency.cdc.gov/coping/index.asp>

^v <https://www.healthit.gov/faq/what-telehealth-how-telehealth-different-telemedicine>