Support Telehealth Parity – HB 515 (Oliverson)
The use of telehealth for mental health services has skyrocketed in Texas, with clients and providers alike highly satisfied with their quality of care. Recognizing the importance of telehealth as an efficient way to access care, the Legislature passed HB 3345, requiring health plans to provide coverage parity for telemedicine and telehealth service to the same extent as in-person visits. It also prohibited providers from being locked into a telehealth platform. However, TDI is unable to implement the provision, as written, as it relates to behavioral health. HB 515, and other bills this session, seek to address this error.

Make Medicaid Audio-Only Telehealth Permanent – HB 4 (Price)
Telehealth is an important step in increasing mental health access, but it is not the only step the Legislature can take. Only 65% of Texas households have broadband access. The coverage of audio-only services by Medicaid throughout the pandemic has proven to be a vital strategy to mitigate the spread of COVID-19, and it will be important to maintain even after the pandemic in order to ensure our most vulnerable Texans have equal access to care.

Provide Liability Protection – HB 549 (S. Thompson)
Texas currently allows providers to disclose to law enforcement if they believe their patient is a risk to themselves or others. However, Texas law also mandates confidentiality of mental health records. Those two statutes send conflicting messages, making providers less likely to report potentially dangerous patients. HB 549 resolves this issue by protecting providers from lawsuit and liability if they report in good faith.

Support Exemption from Sex Offender Treatment Licensure – HB 1697 (Raney)
When Texas created a license for persons who treat sex offenders, psychologists were not exempted from the duplicative requirements. In order to be licensed, a person needs 1000 supervised hours, 40 hours of continuing education, and a $375 application fee. Due to these barriers, many psychologists who had been treating this population chose not to seek the additional license. Currently, there are only about 500 licensed sex offender treatment providers in the state, leaving many potentially dangerous persons without treatment. HB 1697 exempts psychologists from the licensure requirements so that properly trained psychologists would not face barriers to providing the treatment that these individuals need.

Allow Psychologists to Prescribe – HB 1462 (Goodwin)
Six states, including New Mexico and Louisiana, currently allow psychologists to seek advanced training in order to prescribe. Over half of Texas counties lack a prescribing mental-health provider, and many primary care providers are reluctant to treat mental health conditions. Allowing properly trained psychologists to prescribe would increase access to care while lowering wait times and costs for patients.

Improve Guardianship
Currently, in order for a court to create a guardianship, modify a guardianship, or approve an order restoring capacity for an incapacitated person, the court must have a written letter or certificate signed by a physician. Many times, psychologists will perform an examination, evaluate the person’s mental function, but then need a physician to sign the letter. This unnecessarily delays guardianship actions and adds costs for the family. The Legislature should consider removing this barrier by allowing courts to accept recommendations signed by psychologists.

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