

117TH CONGRESS
1ST SESSION

S. _____

To amend title XVIII of the Social Security Act to ensure coverage of mental health services furnished through telehealth.

IN THE SENATE OF THE UNITED STATES

Mr. CASSIDY (for himself, Ms. SMITH, Mr. CARDIN, and Mr. THUNE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to ensure coverage of mental health services furnished through telehealth.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telemental Health
5 Care Access Act of 2021”.

6 **SEC. 2. ENSURING COVERAGE FOR MENTAL HEALTH SERV-**
7 **ICES FURNISHED THROUGH TELEHEALTH.**

8 (a) IN GENERAL.—Section 1834(m)(7) of the Social
9 Security Act (42 U.S.C. 1395m(m)(7)) is amended—

1 (1) in subparagraph (A), by striking “subject to
2 subparagraph (B),”;

3 (2) by striking “(A) IN GENERAL.—The geo-
4 graphic” and inserting “The geographic”; and

5 (3) by striking subparagraph (B).

6 (b) EFFECTIVE DATE.—The amendments made by
7 subsection (a) shall take effect as if included in the enact-
8 ment of section 123 of division CC of the Consolidated
9 Appropriations Act, 2021 (Public Law 116–260).

10 **SEC. 3. STUDY AND REPORT ON UTILIZATION OF MENTAL**
11 **HEALTH SERVICES FURNISHED THROUGH**
12 **TELEHEALTH.**

13 Not later than 1 year after the first day after the
14 end of the emergency period described in section
15 1135(g)(1)(B) of the Social Security Act (42 U.S.C.
16 1320b–5(g)(1)(B)), the Secretary of Health and Human
17 Services shall submit to Congress a report on the utiliza-
18 tion of mental health services furnished through telehealth
19 under section 1834(m)(7) of such Act (42 U.S.C.
20 1395m(m)(7)), that includes any recommendations of the
21 Secretary regarding—

22 (1) fraud or abuse prevention with respect to
23 such services; and

24 (2) additional funding that the Office of Inspec-
25 tor General of the Department of Health and

1 Human Services may require for purposes of con-
2 ducting audits, investigations, and other oversight
3 and enforcement activities with respect to the fur-
4 nishing of such services.