

**SENATE . . . . . No. 00990**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Steven A. Tolman*

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to children's mental health clinicians..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Steven A. Tolman</i>	<i>Second Suffolk and Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Richard T. Moore</i>	<i>Worcester and Norfolk</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Susan C. Fargo</i>	<i>Third Middlesex</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Frederick E. Berry</i>	<i>Second Essex</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>Martha M. Walz</i>	<i>8th Suffolk</i>

# SENATE . . . . . No. 00990

By Mr. Tolman, petition (accompanied by bill, Senate, No. 990) of Steven A. Tolman, James B. Eldridge, Patricia S. Jehlen, Cory Atkins and other members of the General Court for legislation relative to children's mental health clinicians [Joint Committee on Mental Health and Substance Abuse].

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ SENATE  
□ , NO. 757 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to children's mental health clinicians..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 22 of chapter 32A of the General Laws, as appearing in the 2008  
2 Official Edition, is hereby amended by inserting after the word “setting”, in line 85, the  
3 following words: - "and, for persons under the age of 19, shall include collateral services"

4 SECTION 2. Subsection (i) of said section 22 of said chapter 32A, as so appearing, is  
5 hereby amended by striking out the last paragraph.

6 SECTION 3. Said section 22 of said chapter 32A, as so appearing, is hereby amended  
7 by adding the following subsection:—

8 Under this section, the following words shall have the following meanings unless the  
9 context requires otherwise:-

10 “Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes in  
11 duration, by a licensed mental health professional with parties determined by the licensed mental  
12 health professional to be necessary to make a diagnosis, and develop and implement a treatment  
13 plan.

14 “Licensed mental health professional”, a licensed physician who specializes in the  
15 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a  
16 licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed  
17 marriage and family therapist.

18 SECTION 4. Chapter 118E of the General Laws, as so appearing, is amended by  
19 inserting after section 10F the following section:—

20 Section 10G. (a) The division shall provide coverage for collateral services performed  
21 by a licensed mental health professional for persons under 19 years of age. Nothing contained in  
22 this section shall be construed to abrogate any obligation to provide coverage for mental health  
23 services pursuant to any law or regulation of the commonwealth or the United States or under the  
24 terms or provisions of any policy, contract, or certificate.

25 (b) Under this section, the following words shall have the following meanings  
26 unless the context requires otherwise:-

27 “Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes in  
28 duration, by a licensed mental health professional with parties determined by the licensed mental

29 health professional to be necessary to make a diagnosis, and develop and implement a treatment  
30 plan.

31 “Licensed mental health professional”, a licensed physician who specializes in the  
32 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a  
33 licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed  
34 marriage and family therapist.

35 SECTION 5. Section 47B of chapter 175 of the General Laws, as so appearing , is  
36 hereby amended by inserting after the word “setting”, in lines 98 and 99, the following words:-  
37 "and, for persons under the age of 19, shall include collateral services."

38 SECTION 6. Subsection (i) of said chapter 47B of said chapter 175, as so appearing, is  
39 hereby amended by striking out the second and third paragraphs.

40 SECTION 7. Said section 47B of said chapter 175, as so appearing, is hereby further  
41 amended by adding the following 2 subsections:—

42 (j) Under this section, the following words shall have the following meanings unless  
43 the context requires otherwise:-

44 “Collateral services”, face-to-face or telephonic consultation, for at least 15 minutes of  
45 duration, by a licensed mental health professional with parties determined by the licensed mental  
46 health professional to be necessary to make a diagnosis, and develop and implement a treatment  
47 plan.

48 “Licensed mental health professional”, a licensed physician who specializes in the  
49 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a

50 licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed  
51 marriage and family therapist.

52 (k) For the purposes of this section, psychopharmacological services and  
53 neuropsychological assessment services shall be treated as a medical benefit and shall be covered  
54 in a manner identical to all other medical services.

55 SECTION 8. Section 8A of chapter 176A of the General Laws, as so appearing, is  
56 hereby amended by inserting after the word “setting”, in lines 92 and 93, the following words: -  
57 "and, for persons under the age of 19, shall include collateral services."

58 SECTION 9. Subsection (i) of said section 8A of said chapter 176A, as so appearing, is  
59 hereby amended by striking out the second and third paragraphs.

60 SECTION 10. Said section 8A of said chapter 176A, as so appearing, is hereby further  
61 amended by adding the following 2 subsections:—

62 (j) Under this section, the following words shall have the following meaning unless the  
63 context requires otherwise:-

64 “Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes of  
65 duration, by a licensed mental health professional with parties determined by the licensed mental  
66 health professional to be necessary to make a diagnosis, and develop and implement a treatment  
67 plan.

68 “Licensed mental health professional”, a licensed physician who specializes in the  
69 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a

70 licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed  
71 marriage and family therapist.

72 (k) For the purposes of this section, psychopharmacological services and  
73 neuropsychological assessment services shall be treated as a medical benefit and shall be covered  
74 in a manner identical to all other medical services.

75 SECTION 11. Section 4A of chapter 176B of the General Laws, as so appearing, is  
76 hereby amended by inserting after the word “setting”, in lines 95 and 96, the following words:-  
77 "and, for persons under the age of 19, shall include collateral services."

78 SECTION 12. Subsection (i) of said section 4A of said chapter 176B, as so appearing,  
79 is hereby amended by striking out the second and third paragraphs.

80 SECTION 13. Said section 4A of said chapter 176B, as so appearing, is hereby further  
81 amended by adding the following 2 subsections:—

82 (j) Under this section, the following words shall have the following meanings unless  
83 the context requires otherwise:-

84 “Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes of  
85 duration, by a licensed mental health professional with parties determined by the licensed mental  
86 health professional to be necessary to make a diagnosis, and develop and implement a treatment  
87 plan.

88 “Licensed mental health professional”, a licensed physician who specializes in the  
89 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a

90 licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed  
91 marriage and family therapist.

92 (k) For the purposes of this section, psychopharmacological services and  
93 neuropsychological assessment services shall be treated as a medical benefit and shall be covered  
94 in a manner identical to all other medical services.

95 SECTION 14. Section 4M of chapter 176G of the General Laws, as so appearing, is  
96 hereby amended by inserting after the word “setting”, in lines 89 and 90, the following words:-  
97 "and, for persons under the age of 19, shall include collateral services."

98 SECTION 15. Subsection (i) of said section 4M of said chapter 176G, as so appearing,  
99 is hereby amended by striking out the second and third paragraphs.

100 SECTION 16. Said section 4M of said chapter 176G of the General Laws, as so  
101 appearing, is hereby further amended by adding the following 2 subsections:—

102 (j) Under this section, the following words shall have the following meanings unless  
103 the context requires otherwise:-

104 “Collateral services”, face-to-face or telephonic consultation, of at least 15 minutes of  
105 duration, by a licensed mental health professional with parties determined by the licensed mental  
106 health professional to be necessary to make a diagnosis, and develop and implement a treatment  
107 plan.

108 “Licensed mental health professional”, a licensed physician who specializes in the  
109 practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a

110 licensed mental health counselor, a licensed nurse mental health clinical specialist or a licensed  
111 marriage and family therapist.

112 (k) For the purposes of this section, psychopharmacological services and  
113 neuropsychological assessment services shall be treated as a medical benefit and shall be covered  
114 in a manner identical to all other medical services.