

Union Calendar No. 569

118TH CONGRESS
2^D SESSION

H. R. 7858

[Report No. 118–673, Part I]

To amend title XVIII of the Social Security Act to establish a Medicare incident to modifier for mental health services furnished through telehealth.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2024

Mr. JAMES (for himself, Mr. SCHWEIKERT, and Mr. DAVIS of North Carolina) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 12, 2024

Additional sponsor: Mrs. PELTOLA

SEPTEMBER 12, 2024

Reported from the Committee on Energy and Commerce with amendments

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 12, 2024

Committee on Ways and Means discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on April 2, 2024]

A BILL

To amend title XVIII of the Social Security Act to establish a Medicare incident to modifier for 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 “Telehealth Enhancement*
5 *for Mental Health Act of 2024” or the “TELEMH Act of*
6 *2024”.*

7 **SEC. 2. ESTABLISHMENT OF MEDICARE INCIDENT TO MODI-**
8 **FIER FOR MENTAL HEALTH SERVICES FUR-**
9 **NISHED THROUGH TELEHEALTH AND OTHER**
10 **TELEHEALTH SERVICES.**

11 *Section 1834(m) of the Social Security Act (42 U.S.C.*
12 *1395m(m)) is amended by adding at the end the following*
13 *new paragraph:*

14 *“(10) REQUIRED USE OF MODIFIERS IN CERTAIN*
15 *INSTANCES.—Not later than January 1, 2026, the*
16 *Secretary shall establish requirements to include a*
17 *code or modifier, as determined appropriate by the*
18 *Secretary, in the case of claims for telehealth services*
19 *under this subsection that are billed incident to a*
20 *physician’s or practitioner’s professional service.”.*

Amend the title so as to read: “A bill to amend title XVIII of the Social Security Act to establish a Medicare incident to modifier for mental health services furnished through telehealth and other telehealth services.”.

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