

118TH CONGRESS  
1ST SESSION

# S. 3498

To amend title XVIII of the Social Security Act to provide for coverage of peer support services under the Medicare program.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2023

Ms. CORTEZ MASTO (for herself and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to provide for coverage of peer support services under the Medicare program.

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 “Promoting Effective  
5 and Empowering Recovery Services in Medicare Act of  
6 2023” or the “PEERS Act of 2023”.

7 **SEC. 2. COVERAGE OF PEER SUPPORT SERVICES UNDER**  
8 **THE MEDICARE PROGRAM.**

9 (a) COVERAGE.—Section 1861 of the Social Security  
10 Act (42 U.S.C. 1395x) is amended—

1 (1) in subsection (s)(2)—

2 (A) in subparagraph (JJ), by inserting  
3 “and” after the semicolon at the end; and

4 (B) by adding at the end the following new  
5 subparagraph:

6 “(KK) peer support services (as defined in sub-  
7 section (nnn)) furnished on or after January 1,  
8 2025;” and

9 (2) by adding at the end the following new sub-  
10 section:

11 “(nnn) PEER SUPPORT SERVICES.—

12 “(1) PEER SUPPORT SERVICES.—The term  
13 ‘peer support services’ means emotional, informa-  
14 tional, instrumental, and affiliational support serv-  
15 ices—

16 “(A) furnished—

17 “(i) by a Federally qualified health  
18 center, a rural health clinic, a community  
19 mental health center, or a certified commu-  
20 nity behavioral health clinic (as described  
21 in section 223 of the Protecting Access to  
22 Medicare Act of 2014), using a peer sup-  
23 port specialist; and

24 “(ii) to an individual who has been di-  
25 agnosed with—

1 “(I) a mental disorder; or

2 “(II) a substance use disorder;

3 and

4 “(B) that are designed to assist such indi-  
5 vidual in achieving recovery, integration in the  
6 community, self-empowerment, and self-deter-  
7 mination (as specified by the Secretary).

8 “(2) PEER SUPPORT SPECIALIST.—The term  
9 ‘peer support specialist’ means an individual who—

10 “(A) is recovering from a mental health or  
11 substance use condition; and

12 “(B) is certified as qualified to furnish  
13 peer support services under a certification proc-  
14 ess consistent with the National Practice Guide-  
15 lines for Peer Supporters and inclusive of the  
16 Substance Abuse and Mental Health Services  
17 Administration Core Competencies for Peer  
18 Workers in Behavioral Health Settings (as es-  
19 tablished by the State in which such individual  
20 furnishes such services or under such certifi-  
21 cation process determined appropriate by the  
22 Secretary of Health and Human Services.”.

23 (b) PAYMENT.—

24 (1) COMMUNITY MENTAL HEALTH CENTERS  
25 AND CERTIFIED COMMUNITY BEHAVIORAL HEALTH

1 CLINICS.—Section 1833(a)(1) of the Social Security  
2 Act (42 U.S.C. 1395l(a)(1)) is amended—

3 (A) by striking “and” before “(HH)”;

4 (B) by inserting before the semicolon: “,  
5 and (II) with respect to peer support services  
6 (as defined in section 1861(nnn)) furnished by  
7 a community mental health center or a certified  
8 community behavioral health clinic, the amount  
9 paid shall be an amount equal to 80 percent of  
10 the lesser of the actual charge for the services  
11 or the amount determined by a fee schedule es-  
12 tablished by the Secretary for the purposes of  
13 this subparagraph”.

14 (2) INCLUSION AS RHC AND FQHC SERVICES.—

15 Section 1861(aa)(1)(B) of the Social Security Act  
16 (42 U.S.C. 1395x(aa)(1)(B)) is amended—

17 (A) by striking “or by a mental” and in-  
18 serting “by a mental”;

19 (B) by inserting “or when using a peer  
20 support specialist,” after “subsection (ll)(4),”.

21 (c) EXCLUSION MODIFICATION.—Section 1862(a)(1)

22 of the Social Security Act (42 U.S.C. 1395y(a)(1)) is  
23 amended—

24 (1) in subparagraph (O), by striking “and” at  
25 the end;

1           (2) in subparagraph (P), by striking the semi-  
2 colon at the end and inserting “, and”;

3           (3) by adding at the end the following new sub-  
4 paragraph:

5           “(Q) in the case of peer support services (as de-  
6 fined in section 1861(nnn)), which are not furnished  
7 by a rural health clinic, a Federally qualified health  
8 center, a community mental health center, or a cer-  
9 tified community behavioral health clinic;”.

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