S T A T E O F N E W Y O R K

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I N A S S E M B L Y

May 15, 2014

Introduced by M. of A. BROOK-KRASNY -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to making care and services provided by licensed mental health counselors eligible for coverage under the Medicaid program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. Whereas Medicaid covers mental health services in New York state to psychiatrists, psychologists and social workers, Medicaid does not recognize New York state licensed mental health counselors as providers within the Medicaid program. Mental health counselors are often the only mental health providers in urban underserved minority communities. A critical result of this lack of providers is that minority communities bear a disproportionate number of burdens of mental health disabilities and inadequately treated mental health disorders. Excluding mental health counselors from treating Medicaid beneficiaries with untreated mental illness puts such beneficiaries disproportionately at risk for engagement with the criminal justice system. This puts individuals, families and communities at risk of harm. Approximately 26 percent of adults experience a diagnosable behavioral health disorder each year, and researchers have reported 20 percent of adolescents display psychological problems. Behavioral health disorders, ranging from inattention to violence are often a result of those psychological problems.

Mental health counselors represent over 40 percent of licensed mental health practitioners in New York state. Unfortunately Medicaid does not recognize their important contribution to the present health care delivery system.

S 2. Subdivision 2 of section 365-a of the social services law is amended by adding a new paragraph (cc) to read as follows:

(CC) CARE AND SERVICES PROVIDED BY MENTAL HEALTH COUNSELORS LICENSED PURSUANT TO SECTION EIGHTY-FOUR HUNDRED TWO OF THE EDUCATION LAW, INCLUDING SUCH CARE AND SERVICES PROVIDED IN A HOSPITAL OUT-PATIENT OR CLINIC FACILITY REFERRED TO IN PARAGRAPH (C) OF THIS SUBDIVISION.

S 3. This act shall take effect on the ninety-first day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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