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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. ENSURING COVERAGE FOR MENTAL HEALTH SERVICES FURNISHED THROUGH TELEHEALTH.

(a) In general.—Section 1834(m)(7) of the Social Security Act (42 U.S.C. 1395m(m)(7)) is amended—
(1) in subparagraph (A), by striking “subject to subparagraph (B),”;  
(2) by striking “(A) IN GENERAL.—The geographic” and inserting “The geographic”; and  
(3) by striking subparagraph (B).  
(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of section 123 of division CC of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

SEC. 3. STUDY AND REPORT ON UTILIZATION OF MENTAL HEALTH SERVICES FURNISHED THROUGH TELEHEALTH.

Not later than 1 year after the first day after the end of the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)), the Secretary of Health and Human Services shall submit to Congress a report on the utilization of mental health services furnished through telehealth under section 1834(m)(7) of such Act (42 U.S.C. 1395m(m)(7)), that includes any recommendations of the Secretary regarding—  
(1) fraud or abuse prevention with respect to such services; and  
(2) additional funding that the Office of Inspector General of the Department of Health and
Human Services may require for purposes of conducting audits, investigations, and other oversight and enforcement activities with respect to the furnishing of such services.