



LEGISLATIVE ALERT

American Mental Health Counselors Association
801 N. Fairfax Street, Ste. 304
Alexandria, VA 22314

AMHCA/ACA/NBCC Update: Senate Introduces “TRICARE Mental Health Care Access Act,” S. 3371

Alexandria, VA – May 18, 2010 – The counseling profession took a significant step forward with the introduction of Senate legislation (S. 3371) that will make it easier for TRICARE beneficiaries to see a professional mental health counselor. TRICARE is the health care system for servicemembers and their dependents, and licensed professional counselors are the only mental health professionals still required by law to see beneficiaries following physician referral and under physician supervision.

Senators Joseph Lieberman (I-CT), Claire McCaskill (D-MO) and Susan Collins (R-ME) jointly introduced S. 3371 to allow licensed professional counselors to independently treat and diagnose TRICARE beneficiaries. The American Mental Health Counselors Association, the American Counseling Association and the National Board for Certified Counselors applaud the senators for sponsoring this legislation, as it is a much-needed step forward in giving TRICARE beneficiaries better access to highly skilled outpatient mental health professionals. Our three organizations are working closely together to gain the enactment of legislative language providing counselors independent practice rights as part of this year's National Defense Authorization Act (NDAA).

Introduction of S. 3371 comes on the heels of a recently released Institute of Medicine (IOM) report that recommends independent practice of mental health counselors in TRICARE. The Institute of Medicine's report, titled "Provision of Mental Health Counseling Services under TRICARE," was conducted pursuant to a request by Congress contained in the National Defense Authorization Act for Fiscal Year 2008. The IOM panel recommended granting independent practice authority for counselors who have:

1. A master's (or higher) degree in mental health counseling from a program accredited by the Council for Accreditation of Counseling and Related Education Programs (CACREP);
2. Obtained state licensure in mental health counseling at the "clinical" or highest level available;
3. Passed the National Clinical Mental Health Counselor Examination (NCMHCE); and
4. Have a well-defined scope of practice sufficient to permit a counselor to see TRICARE beneficiaries absent primary care physician supervision and referral.

Representatives Tom Rooney (R-FL) and Mike McMahon (D-NY) introduced a similar bill, H.R. 3839, last October. The Rooney-McMahon legislation would let any counselor participating in the TRICARE program practice independently, just like clinical social workers and marriage and family therapists have done for years. The legislation is currently being cosponsored by Reps. Bordallo (GU), Courtney (CT), Israel (NY), Jones (NC), Kilpatrick (MI), McMorris Rodgers (WA), Rodriguez (TX) and Shuster (PA).

AMHCA, ACA, and NBCC are working with members of the House and Senate Armed Services Committees to gain adoption of legislative language based on H.R. 3839 and S. 3371 as part of the defense authorization legislation being considered over the coming weeks. **We urge counselors to contact their representatives to ask them to cosponsor H.R. 3839, and to contact senators to ask for cosponsorship of S. 3371.** The more cosponsors we have on the legislation, the greater our chances of establishing independent practice authority for as many counselors as possible within the TRICARE system.

If you have any questions, please contact AMHCA via email at jclements@amhca.org or via telephone at (800)-326-2642 ext. 105.

Thank you for your support.

Sincerely,
Julie A. Clements, J.D.
Director of Legislative Affairs
American Mental Health Counselors Association