

119TH CONGRESS
1ST SESSION

H. R. 3808

To amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2025

Mr. FITZPATRICK (for himself and Mr. TONKO) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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

A BILL

To amend title XVIII of the Social Security Act to improve access to mental health 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 “Expanding Seniors Ac-
5 cess to Mental Health Services Act”.

6 **SEC. 2. IMPROVED ACCESS TO MENTAL HEALTH SERVICES**

7 **UNDER THE MEDICARE PROGRAM.**

8 (a) **EXCLUSION OF CLINICAL SOCIAL WORKER SERV-**
9 **ICES FROM THE SKILLED NURSING FACILITY PROSPEC-**

1 TIVE PAYMENT SYSTEM.—Section 1888(e)(2)(A)(iii) of
2 the Social Security Act (42 U.S.C. 1395yy(e)(2)(A)(iii))
3 is amended by adding at the end the following new sub-
4 clause:

5 “(VII) Clinical social worker
6 services (as defined in section
7 1861(hh)(2)).”.

8 (b) ACCESS TO THE COMPLETE SET OF CLINICAL
9 SOCIAL WORKER SERVICES.—Section 1861(hh)(2) of the
10 Social Security Act (42 U.S.C. 1395x(hh)(2)), is amended
11 by striking “for the diagnosis and treatment of mental ill-
12 nesses (other than services furnished to an inpatient of
13 a hospital and other than services furnished to an inpa-
14 tient of a skilled nursing facility which the facility is re-
15 quired to provide as a requirement for participation)” and
16 inserting “, including services for the diagnosis and treat-
17 ment of mental illnesses or services for health and behav-
18 ior assessment and intervention (identified as of January
19 1, 2023, by HCPCS codes 96156, 96158–96161, 96164–
20 96168, and 96170–96171 (and any succeeding codes)),
21 but not including services furnished to an inpatient of a
22 hospital,”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to items and services furnished on
3 or after January 1, 2026.

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