

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Tolman, Steven (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to children's mental health clinicians.

PETITION OF:

NAME:

Tolman, Steven (SEN)

DISTRICT/ADDRESS:

Second Suffolk and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO CHILDREN'S MENTAL HEALTH CLINICIANS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 **SECTION 1.** Section 22 of chapter 32A of the General Laws, as appearing in the 2006 Official Edition, is
2 hereby amended by inserting after the word “setting” in the first sentence of subsection (g), the following words: -
3 and for children and adolescents under the age of 19, shall include any and all collateral services

4

5 **SECTION 2.** Subsection (i) of said section 22 of said chapter 32A, as so appearing, is hereby amended by adding the
6 following paragraph:—

7 Under this section, “collateral services” shall mean face-to-face or telephonic consultation, of at least 15
8 minutes in duration, by a licensed mental health professional with parties determined by the licensed mental
9 health professional to be necessary to make a diagnosis, and develop and implement a treatment plan.

10

11 **SECTION 3.** Chapter 118E of the General Laws, as so appearing, is amended by inserting after section 10F the
12 following section:—

13 Section 10G. The division shall provide coverage for collateral services performed by a licensed mental
14 health professional for persons under 19 years of age. Nothing contained in this section shall be construed to

15 abrogate any obligation to provide coverage for mental health services pursuant to any law or regulation of the
16 commonwealth or the United States or under the terms or provisions of any policy, contract, or certificate.

17 Under this section, “collateral services” shall mean face-to-face or telephonic consultation, of at least 15
18 minutes in duration, by a licensed mental health professional with parties determined by the licensed mental
19 health professional to be necessary to make a diagnosis, and develop and implement a treatment plan.

20 Under this section, “licensed mental health professional” shall mean a licensed physician who specializes in
21 the practice of psychiatry, a licensed psychologist, a licensed independent clinical social worker, a licensed mental
22 health counselor, or a licensed nurse mental health clinical specialist.

23

24 **SECTION 4.** Section 47B of chapter 175 of the General Laws, as so appearing is hereby amended by inserting after
25 the word “setting” in the first sentence of subsection (g), the following words: - and for children and adolescents
26 under the age of 19, shall include any and all collateral services.

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28 **SECTION 5.** Subsection (i) of said section 47B of said chapter 175, as so appearing, is hereby amended by adding
29 the following paragraph:—

30 Under this section, “collateral services” shall mean face-to-face or telephonic consultation, for at least 15
31 minutes of duration, by a licensed mental health professional with parties determined by the licensed mental
32 health professional to be necessary to make a diagnosis, and develop and implement a treatment plan.

33

34 **SECTION 6.** Section 8A of chapter 176A of the General Laws, as so appearing, is hereby amended by inserting after
35 the word “setting” in the first sentence of subsection (g), the following words: - and for children and adolescents
36 under the age of 19, shall include any and all collateral services.

37

38 **SECTION 7.** Subsection (i) of said section 8A of said chapter 176A, as so appearing, is hereby amended by adding
39 the following paragraph:—

40 Under this section, “collateral services” shall mean face-to-face or telephonic consultation, of at least 15
41 minutes of duration, by a licensed mental health professional with parties determined by the licensed mental
42 health professional to be necessary to make a diagnosis, and develop and implement a treatment plan.

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44 **SECTION 8.** Section 4A of said chapter 176B of the General Laws, as so appearing, is hereby further amended by
45 inserting after the word “setting” in the first sentence of subsection (g), the following words: - and for children and
46 adolescents under the age of 19, shall include any and all collateral services.

47

48 **SECTION 9.** Subsection (i) of said section 4A of said chapter 176B, as so appearing, is hereby further amended by
49 adding the following paragraph:—

50 Under this section, “collateral services” shall mean face-to-face or telephonic consultation, of at least 15
51 minutes of duration, by a licensed mental health professional with parties determined by the licensed mental
52 health professional to be necessary to make a diagnosis, and develop and implement a treatment plan.

53

54 **SECTION 10.** Said section 4M of chapter 176G of the General Laws, as so appearing, is hereby further amended by
55 inserting after the word “setting” in the first sentence of subsection (g), the following words: - and for children and
56 adolescents under the age of 19, shall include any and all collateral services.

57

58 **SECTION 11.** Said section 4M of said chapter 176G of the General Laws, as so appearing, is hereby further
59 amended by adding the following paragraph:—

60 Under this section, "collateral services" shall mean face-to-face or telephonic consultation, of at least 15
61 minutes of duration, by a licensed mental health professional with parties determined by the licensed mental
62 health professional to be necessary to make a diagnosis, and develop and implement a treatment plan.