

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. BARRASSO (for himself and Mr. COONS) introduced the following bill;  
which was read twice and referred to the Committee on

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**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) ACCESS TO CLINICAL SOCIAL WORKER SERVICES  
9       PROVIDED TO RESIDENTS OF SKILLED NURSING FACILI-  
10      TIES.—

1           (1) EXCLUSION OF CLINICAL SOCIAL WORKER  
2 SERVICES FROM THE SKILLED NURSING FACILITY  
3 PROSPECTIVE PAYMENT SYSTEM.—Section  
4 1888(e)(2)(A)(iii) of the Social Security Act (42  
5 U.S.C. 1395yy(e)(2)(A)(iii)) is amended by adding  
6 at the end the following new subclause:

7                           “(VII) Clinical social worker  
8 services (as defined in section  
9 1861(hh)(2)).”.

10           (2) CONFORMING AMENDMENT.—Section  
11 1861(hh)(2) of the Social Security Act (42 U.S.C.  
12 1395x(hh)(2)) is amended by striking “and other  
13 than services furnished to an inpatient of a skilled  
14 nursing facility which the facility is required to pro-  
15 vide as a requirement for participation”.

16           (b) ACCESS TO THE COMPLETE SET OF CLINICAL  
17 SOCIAL WORKER SERVICES.—Section 1861(hh)(2) of the  
18 Social Security Act (42 U.S.C. 1395x(hh)(2)), as amended  
19 by subsection (a)(2), is amended—

20           (1) by striking “for the diagnosis and treatment  
21 of mental illnesses (other than services” and insert-  
22 ing “, including services for the diagnosis and treat-  
23 ment of mental illnesses or services for health and  
24 behavior assessment and intervention (identified as  
25 of January 1, 2023, by HCPCS codes 96156,

1       96158–96161, 96164–96168, and 96170–96171  
2       (and any succeeding codes)) but not including serv-  
3       ices”; and

4               (2) by striking “inpatient of a hospital)” and  
5       inserting “inpatient of a hospital,”.

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