

HB 659

2012

1 A bill to be entitled
2 An act relating to Medicaid telebehavioral health
3 services; amending s. 409.906, F.S.; directing the
4 Agency for Health Care Administration to implement
5 additional optional Medicaid mental health services;
6 providing requirements for delivery of telebehavioral
7 health services; defining the term "telebehavioral
8 health services"; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Paragraph (c) is added to subsection (8) of
13 section 409.906, Florida Statutes, to read:

14 409.906 Optional Medicaid services.—Subject to specific
15 appropriations, the agency may make payments for services which
16 are optional to the state under Title XIX of the Social Security
17 Act and are furnished by Medicaid providers to recipients who
18 are determined to be eligible on the dates on which the services
19 were provided. Any optional service that is provided shall be
20 provided only when medically necessary and in accordance with
21 state and federal law. Optional services rendered by providers
22 in mobile units to Medicaid recipients may be restricted or
23 prohibited by the agency. Nothing in this section shall be
24 construed to prevent or limit the agency from adjusting fees,
25 reimbursement rates, lengths of stay, number of visits, or
26 number of services, or making any other adjustments necessary to
27 comply with the availability of moneys and any limitations or
28 directions provided for in the General Appropriations Act or

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29 chapter 216. If necessary to safeguard the state's systems of
30 providing services to elderly and disabled persons and subject
31 to the notice and review provisions of s. 216.177, the Governor
32 may direct the Agency for Health Care Administration to amend
33 the Medicaid state plan to delete the optional Medicaid service
34 known as "Intermediate Care Facilities for the Developmentally
35 Disabled." Optional services may include:

36 (8) COMMUNITY MENTAL HEALTH SERVICES.—

37 (c) The agency is directed to implement telebehavioral
38 health services by licensed mental health practitioners as
39 authorized by the Centers for Medicare and Medicaid Services for
40 all community behavioral health care services except for those
41 services that require physical contact, such as physical
42 examinations. Telebehavioral health care services may be
43 delivered only by a person who is licensed under chapter 491 and
44 who provides the telebehavioral health services from a location
45 within the state. The agency shall also seek authorization from
46 the Centers for Medicare and Medicaid Services to permit the
47 delivery of telebehavioral health services by any person
48 currently authorized to deliver such care. As used in this
49 paragraph, the term "telebehavioral health services" means the
50 use of electronic information and telecommunications
51 technologies to provide behavioral health services.

52 Section 2. This act shall take effect July 1, 2012.