

118TH CONGRESS  
2D SESSION

# S. 3651

To amend title XVIII of the Social Security Act to ensure coverage of  
mental health services furnished through telehealth.

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IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2024

Mr. CASSIDY (for himself, Ms. SMITH, Mr. THUNE, and Mr. CARDIN) intro-  
duced the following bill; which was read twice and referred to the Com-  
mittee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to ensure  
coverage of mental health services furnished through tele-  
health.

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 “Telemental Health  
5 Care Access Act of 2024”.

6 **SEC. 2. ENSURING COVERAGE FOR MENTAL HEALTH SERV-**  
7 **ICES FURNISHED THROUGH TELEHEALTH.**

8 (a) IN GENERAL.—Section 1834(m)(7) of the Social  
9 Security Act (42 U.S.C. 1395m(m)(7)) is amended—

1 (1) in subparagraph (A), by striking “subject to  
2 subparagraph (B),”;

3 (2) by striking “(A) IN GENERAL.—The geo-  
4 graphic” and inserting “The geographic”; and

5 (3) by striking subparagraph (B).

6 (b) EFFECTIVE DATE.—The amendments made by  
7 subsection (a) shall take effect as if included in the enact-  
8 ment of section 123 of division CC of the Consolidated  
9 Appropriations Act, 2021 (Public Law 116–260).

10 **SEC. 3. STUDY AND REPORT ON UTILIZATION OF MENTAL**  
11 **HEALTH SERVICES FURNISHED THROUGH**  
12 **TELEHEALTH.**

13 Not later than 1 year after the date of enactment  
14 of this Act, the Secretary of Health and Human Services  
15 shall submit to Congress a report on the utilization of  
16 mental health services furnished through telehealth under  
17 section 1834(m)(7) of such Act (42 U.S.C. 1395m(m)(7)),  
18 that includes any recommendations of the Secretary re-  
19 garding—

20 (1) fraud or abuse prevention with respect to  
21 such services; and

22 (2) additional funding that the Office of Inspec-  
23 tor General of the Department of Health and  
24 Human Services may require for purposes of con-  
25 ducting audits, investigations, and other oversight

- 1 and enforcement activities with respect to the fur-
- 2 nishing of such services.

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