

MEDICAL SOCIETY
of the
STATE OF NEW YORK

Morris M. Auster, Esq.
Senior Vice President /
Chief Legislative Counsel

Division of Governmental Affairs

MEMORANDUM IN OPPOSITION

ON ASSEMBLY FLOOR
(RR # 286)

A.10707-A (BRONSON)

IN SENATE HEALTH COMMITTEE

S.3981-B (SAVINO)

AN ACT to amend the social services law, in relation to making care and services provided by licensed mental health practitioners eligible for coverage under the Medicaid program

This legislation amends the Social Services Law to require New York's Medicaid program to cover the services provided by mental health practitioners licensed pursuant to Article 163 of the State Education Law. **The Medical Society of the State of New York opposes this legislation.**

Recognizing the level of education and training mental health received by mental health practitioners licensed pursuant to Article 163 of the State Education Law, the 2002 statute establishing licensure codified into law critical limitations on the treatment such providers can provide to explicitly prohibit the treatment of any serious mental illness "...on a continuous and sustained basis without a medical evaluation of the illness by, and consultation with, a physician regarding such illness."

While we support the use of public resources for mental health practitioners working in close coordination and under the overall supervision of psychiatrist in hospital outpatient department and licensed clinics, we are very concerned with enabling Medicaid payment to mental health practitioners in private practice, where the safeguards and oversight provided in a hospital or clinic setting will not be required. By comparison, licensed clinical social workers must complete three years of supervised experience, yet do not qualify for Medicaid except for limited services for children, pregnant women, and post-partum care. Licensed clinical social workers are required to have twice the supervised experience as licensed mental health counselors and three times the supervised experience as compared three other types mental health practitioners, including psychoanalysts, creative arts therapists, and marriage and family therapists. In summary, we do not think it makes sense to require less supervision than that which is required for a profession which receives far more didactic as well as clinical education and patient experience than mental health practitioners.

Based on the foregoing, the Medical Society of the State of New York opposes this bill and requests that it be defeated.

Respectfully submitted,

MSSNY DIVISION OF GOVERNMENTAL AFFAIRS

6/19/18
MMA - oppose