



Memo of Opposition
AB 2163 Bronson / SB 3952 Young

An act to amend the insurance law, in relation to health insurance coverage of outpatient care provided by a mental health practitioner

The National Association of Social Workers, NYS and NYC Chapters, the New York State Society for Clinical Social Work, New York State Psychiatric Association and the New York State Psychological Association strongly opposes AB 6376A Bronson / SB 2065A Young, a bill seeking to require blanket health insurance policies to provide coverage for outpatient treatment by mental health practitioners licensed pursuant to Article 163 of the Education Law.

As the bill memo notes “current law does not explicitly include mental health practitioners as allowable providers of outpatient mental health services.” Current law allows only for such reimbursement to practitioners holding a medical degree, a PhD in psychology or a Licensed Clinical Social Worker - R (a master’s level degree with two examinations and six years of highly prescribed supervised experience in the diagnosis and treatment of mental illnesses). Due to their limitations of their education and training mental health practitioners are not authorized by Article 163 of the Education Law to diagnose mental illness. In addition, Article 163 stipulates, “It shall be deemed practicing outside the boundaries of his or her professional competence for a person licensed pursuant to this article, in the case of treatment of any serious mental illness, to provide any mental health service for such illness on a continuous and sustained basis without a medical evaluation of the illness by, and consultation with, a physician regarding such illness.”

While the above organizations strongly support insurance reimbursement for mental health and substance abuse care and treatment, this legislation would substantially lower the education and training threshold otherwise required for reimbursement for psychiatric, psychological and clinical social work.

For these reasons, the above referenced organizations oppose this legislation.