



October 23, 2012

Jonathan Woodson, MD  
Assistant Secretary of Defense for Health Affairs  
Director, TRICARE Management Activity  
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Falls Church, VA 22041-3206

Dear Assistant Secretary Woodson:

On behalf of the American Counseling Association (ACA), I am writing to request clarification from you regarding the Department of Defense (DoD) interim final rule (76 FR 80741-80744) establishing qualification criteria and rules for the participation of licensed professional mental health counselors within the TRICARE program. Additionally, we would like to reiterate an earlier concern regarding the rule. ACA is the nation's oldest and largest nonprofit membership organization representing professional counselors.

TRICARE contractors are now certifying mental health counselors for independent practice, raising significant questions for our members. We would greatly appreciate your clarification of TRICARE policy on two such issues, described below, at your earliest convenience. Although it is our understanding that your office may issue an amended final rule on the requirements mental health counselors must meet in order to participate as independently functioning TRICARE providers, potentially addressing these questions, clarification from your office on these two issues now would be of significant help to professional mental health counselors currently attempting to work with TRICARE. We do not believe that timely clarification of these issues would prejudice the development of a final version of the interim final rule.

First, and most fundamentally, some of our members are being told by TRICARE contractors that they will not be able to be certified as a mental health counselor and participate as a TRICARE provider after December 31, 2014 because they did not obtain their counseling degree from a program accredited by the Council on Accreditation of Counseling and Related Educational Programs (CACREP). One email message sent to a counselor by a TRICARE contractor states that the counselor, who does not have a degree from a CACREP-accredited program, "will be able to practice independently until 12/31/14 but not after."

We firmly believe this interpretation of the interim final rule is incorrect, and that DoD intended that counselors who become certified under the transition period requirements will be recognized as TRICARE providers from that point forward, including after the transition period ends. Although we believe the language in the interim final rule strongly suggests this interpretation, a clear statement from your office would be most helpful, given the confusion on this issue among TRICARE contractors.

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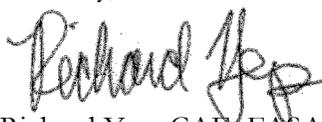
Secondly, we have received inquiries from counseling graduate students who know they want to become TRICARE certified mental health counselors, but who are enrolled in a regionally- (but not CACREP-) accredited program. These students will be able to complete their degree before the end of the transition period on December 31, 2014, but will almost certainly be unable to complete the two years/3,000 hours of post-master's supervised experience needed before that date. In our earlier comment letter on the interim final rule we encouraged DoD to extend the transition period to help accommodate these students. Regardless of the date selected for the end of the transition period, we ask that DoD allow counselors who did not graduate from a CACREP program to be certified as TRICARE providers if they meet the education requirements before the end of the transition period, but complete the supervised experience and examination requirements after the transition period ends.

Under the interim final rule, the same supervised experience requirements (two years, 3,000 hours) and examination requirements (passage of the National Clinical Mental Health Counseling Exam (NCMHCE)) apply both before and after the transition period ends. Thus, a counselor graduating from a regionally-accredited (but not CACREP-accredited) counseling program in June of 2014 will ultimately have to meet the exact same supervision and examination requirements for certification as would a counselor graduating from a CACREP-accredited program in 2015.

In closing, we would like to again encourage DoD to recognize all supervision hours recognized by the counselor's state licensure board, and not only those that are provided by a licensed professional counselor and that are "consistent with the guidelines for supervision of the American Mental Health Counselors Association [AMHCA]". Counseling is a more recently developed profession than psychiatry, psychology, and clinical social work, and consequently many state licensure laws recognize supervision hours provided by members of these other, well-recognized professions. Recognizing only supervision hours obtained from a licensed professional counselor will bar a substantial number of highly qualified licensed professional mental health counselors from becoming TRICARE providers, including many who are part of the TRICARE mental health service delivery system right now. At least through the duration of transition period, we urge DoD to recognize the same supervision hours that state health care professional licensure boards recognize. The AMHCA supervision guidelines requirement should be removed permanently, as such guidelines do not exist.

We would greatly appreciate clarification from your office on these two issues at your earliest convenience, and also your consideration of our request regarding supervision hours. We would be happy to work with your staff these and other issues related to certification requirements for TRICARE mental health counselors.

Sincerely,



Richard Yep, CAE, FASAE  
Executive Director and CEO  
American Counseling Association