ACA’s Government Affairs and Public Policy Team is here to Advocate and Educate on Behalf of Counselors Nationwide.

Federal Lobbying
State Lobbying
Grassroots Engagement
Brian D. Banks
Director, Government Affairs and Public Policy
American Counseling Association
## Agenda

### Introduction:
Richard Yep, CAE, FASAE, CEO
American Counseling Association

### Guest Speaker:
Rep. Mike Thompson, US Congressman (D-5-CA)

### Federal Updates:
Guila Todd, American Counseling Association

### Medicare Research:
Matthew Fullen, PhD., MDiv, LPCC
Virginia Tech

### Counselors and Vets:
Duane K. L. France, MA, MBA, LPC
Family Care Center

### State Updates:
Dominique N. Marsalek, American Counseling Association

### Grassroots Updates:
Dania Y. Loften, Esq., MPA, American Counseling Association
Janelle Cox, EdD., LPCC, Bowie State University
Chun-Shin Taylor, PhD., LCPC, NCC, ACS, Mending Hearts Academy

### Question and Answers

### Closing

### Moderator:
Brian D. Banks, Director, Government Affairs and Public Policy, American Counseling Association
Welcome

Richard Yep  
CAE, FASAE, CEO  
American Counseling Association
Guest Speaker

Rep. Mike Thompson
US Congressman
(D-5-CA)
Federal Legislation

Guila Todd
Government Affairs Manager
Government Affairs and Public Policy, ACA

Matthew Fullen
PhD., MDiv, LPCC (OH)
Assistant Professor of Counselor Education, Virginia Tech

Duane K. L. France
MA, MBA, LPC
Director of Veteran Services, Family Care Center
Guila Todd
Government Affairs Manager
Government Affairs and Public Policy, ACA

Federal Update
A Year of Federal Policy Success

More Congressional members taking action on mental health

There are currently 113 co-sponsors in the House and 30 co-sponsors in the Senate
A Year of Federal Policy Success

Substance Abuse and Mental Health Services Administration (SAMHSA) fully engaged

Counseling profession now included in the federal Expansion of Practitioner Education Grant

Term “counselor” includes LPCs or LMHCs on SAMHSA’s Find Treatment
A Year of Federal Policy Success

Center for Medicare and Medicaid Services (CMS):

SUPPORT Act

Certified Opioid Treatment Programs (OTP) may bill Medicare for treatment provided by an LPC/LPMHC

Medicare reimbursement is released directly to the OTP where services were rendered for the LPC/LPMHC.
A Year of Federal Policy Success

CARES Act

Provide telebehavioral health services to Medicare beneficiaries during the COVID-19 health emergency.

Remote telebehavioral health services
A Year of Federal Policy Success

U.S. Department of Education (Title IV-Part A):

- Increased funding for school counseling programs
- The Title IV Part A block grant was funded at $1.17 billion for FY 19
A Year of Federal Policy Success

U.S. Department of Veteran Affairs
Office of Mental Health Services:

Building relationships and collaboration with VA officials

Published articles in Counseling Today
A Year of Federal Policy Success

ACA Hosted a Congressional Briefing on Medicare Reimbursement:

- Senator John Barrasso (R-WY) – primary bill sponsor for S.286
- 20+ Congressional staffers from the House of Representatives and the Senate
- 100 ACA members meet with their congressional members
Where are we now?

Advocacy Campaigns:

Requested our members to contact both the House Ways and Means Committee and Senate Finance Committee to urge passage of this legislation.

Requested stories from ACA membership about the effect that COVID-19 has had on them and their clients.

Virtual meetings are being set with members of the House Ways and Means Committee and the Energy and Commerce Committee to push for attaching bill language to a moving legislative vehicle.

ACA is also part of the Medicare Access Coalition, whose work includes advocacy for the full inclusion of LPMHC’s as Medicare providers.
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Matt Fullen
PhD., MDiv, LPCC (OH)
Assistant Professor of Counselor Education, Virginia Tech

Medicare Research
Medicare is the primary insurance provider for approximately 60 million Americans*, and the number of beneficiaries is expected to surpass 80 million by 2030**

*Kaiser Family Foundation, 2019  
** Medicare Payment Advisory Commission, 2015
**Medicare Reimbursement for Counselors**

**Advocacy Updates & Policy Implications**

- **70%**
  - 70% of practicing counselors had been impacted by the Medicare mental health coverage gap

- **50%**
  - 50% had turned away new business

- **39%**
  - 39% had referred an existing client who became Medicare-eligible

- **40%**
  - 40% had changed their fee to continue providing services

- **12.49%**
  - 12.49% of providers in Psychology Today’s database took Medicare.

*Fullen, Lawson, & Sharma, 2020, in Journal of Counseling & Development*
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Interviews with Medicare recipients reveal that:

- It’s difficult to find providers who are eligible to take Medicare
- Medicare recipients place a premium on therapeutic relationship
- Recipients wonder, why they are forced to start over
Advocacy Conclusions:

The impact of current Medicare policy on clients & the counseling profession is more pervasive than we realized.

Frame problem as lack of access to needed services rather than as professional equity issue.

Emphasize that Medicare is only remaining insurer that excludes LPCs.
Advocacy Updates & Policy Implications

Medicare advocacy victories:

- Current bills reach new heights
- Advocacy resulting in CMS changes
- References in national media
Advocacy Updates & Policy Implications

Next Steps: COVID-19 stimulus package advocacy

- Removing the Medicare mental health coverage gap is essential
- Modernizing Medicare so that it is consistent with other insurance programs
- Bills align federal policy with the realities of the behavioral health marketplace, resulting in care that is more cost-effective, efficient, and timely
Federal Legislation

Duane K. L. France
MA, MBA, LPC
Director of Veteran Services, Family Care Center
Policy Initiative: Increase Professional Counselors serving Military and Veteran Community

VA Office of Mental Heath and Suicide Prevention

LPMHC training programs

Office of Academic Affiliations (OAA) currently funds eight LPMHC training programs

Commander John Scott Hannon Mental Health Care Improvement act of 2019

Mental Health Education Expansion Initiative, Phase VII 2020–2021
State Legislation

Dominique Marsalek
Government Affairs Specialist, ACA
Government Affairs and Public Policy
State Legislation

Resource Package
- Telebehavioral Health for States
- Template Letter to State Governors
- COVID-19 State Resources

State Support
- Governor’s Office/Executive Orders
- Governor’s Cabinet/Executive Administration
- Licensure Boards
State Legislation

A State-Based Policy Framework:

Bring states into greater alignment

Issue the guidance necessary to provide critical mental health services

Work with our national ACA network and allies to advance key priorities and policy:

- Interstate compact for licensure
- Conversion therapy bans
- Ensuring ethical and educational standards meet current best practices
State Legislation

Where are we now?

Interstate Compact for Licensure

- Finishing a bill draft for stakeholder feedback this month
- Living contract between partner states regarding licensure portability
- Approximately a two year timeframe before implementation
- Bill draft estimated to be ready by late fall of this year

Conversion Therapy Bans

- Registered a rising tide of anti-LGBTQ legislation this session at the state level
- Virginia became the 20th state to ban this unethical practice
- We will continue to monitor into and throughout 2021

Ensuring ethical and educational standards

- Greater alignment through outreach
- Monitoring of regulatory board activity
- Promoting regulatory board representation in key states
- Providing members with resources to advocate.
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State Legislation

Key Policy Monitoring

Expanding Insurance Coverage

Local Funding and Appropriations

Local Supports for Community Based Mental Health Programs

Student Loan Repayment Programs

Implementation of The Support Act and Support of Drug Use Disorder Treatment Programs
Encourage states to:

Stay Engaged
Beyond organizations – Building out partnerships, coalitions, and community

Lead
Contact your state Governor for open board positions on mental health, regulatory matters, education, and professional permitting and licensure issues

Run for Local Office
PTA, school board, neighborhood/community positions, private professional board membership in outward serving organizations like Rotary International etc. Run for your ACA Board!
Dania Y. Lofton
Esq., MPA,
Government Affairs Specialist
ACA Government Affairs and Public Policy

Janelle Cox
EdD., LPCC
Assistant Professor of Counselor Education, Bouie State

Chun-Shin Taylor
PhD., LCPC, NCC, ACS
Counselor, Consultant, Creative Writer
Grassroots

Dania Y. Lofton  
Esq., MPA, Government Affairs Specialist  
ACA Government Affairs and Public Policy
Grassroots

Messages sent
17,431

Advocates Recruited
4,029

Stories Collected
1,780

Campaigns
Federal Legislation Impacting Counselor Reimbursement
HR 5092, The Counseling for Career Choice Act of 2019

Most Active States
Texas, Illinois, Pennsylvania, Louisiana
Grassroots

Grassroots Accomplishments

Worked closely with 28 states on state policy and regulatory priorities
New Initiatives

- Monthly “Advocacy Power Hour”
- Story Collection Campaign
- Updated Advocacy Toolkit
Federal Lobbying Testimony

Janelle Cox  EdD., LPCC
Assistant Professor of Counselor Education, Bowie State
State Lobbying Testimony

Chun-Shin Taylor  PhD., LCPC, NCC, ACS
Counselor, Consultant, Creative Writer
Call to Action

3 Tasks:

Sign-up to receive alerts at: counseling.org/government-affairs/actioncenter

Share your story with us at: counseling.org/government-affairs/actioncenter

Complete and submit the virtual town hall feedback survey
YOU are the key!

YOU are the most valuable tool that we have.
YOU are the issue experts.
YOU are the constituent.

Legislators want and need to hear from YOU.
Are You a Member?

- ACA Publications
- Continuing Education
- Political Advocacy
- Ethics Consultations
- Career Advancement
Take Action!

counseling.org/government-affairs/actioncenter

Visit our website

counseling.org/government-affairs/public-policy
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2020 Virtual Town Hall

Presented by ACA Government Affairs and Public Policy Department