

Chairman Richard Neal
Ways and Means Committee
United States House of Representatives
Washington, DC 20515

Chairman Ron Wyden
Senate Committee on Finance
United States Senate
Washington, DC 20510

Ranking Member Kevin Brady
Ways and Means Committee
United States House of Representatives
Washington, DC 20515

Ranking Member Mike Crapo
Senate Committee on Finance
United States Senate
Washington, DC 20510

June 29, 2022

Dear Chairman Neal, Chairman Wyden, Ranking Member Brady, and Ranking Member Crapo,

The undersigned 245 national, state, and local organizations and individuals thank you for your ongoing efforts to improve access to mental health and substance use disorder treatment in the United States. Your committees have helped shine a light on the dire need for reform to help millions of Americans, especially older adults and those with chronic disabilities in the Medicare program for whom access to mental health and substance use disorder treatment is tragically lacking. About [one in four](#) Medicare beneficiaries have a mental health condition, including [1.7 million](#) people with substance use disorders. However, a staggering [93%](#) of Medicare beneficiaries ages 65 and older with a substance use disorder do not receive treatment, nor do an estimated [one in three](#) with mental health needs. As you finalize legislation to remove barriers to mental health and substance use disorder care, we urge you to address treatment coverage and access for Medicare beneficiaries.

As the [President's 2023 Budget](#) and [Senate Finance Committee's bipartisan report](#) have highlighted, Medicare is not subject to the Mental Health Parity and Addiction Equity Act (Parity Act). As a result, Medicare beneficiaries do not have coverage of or access to the full range of mental health and substance use disorder benefits they need, and often lose access to treatment they were receiving prior to becoming eligible for Medicare. Although Congress has eliminated disparate financial requirements for Medicare beneficiaries, Medicare still imposes both quantitative (e.g. 190-day lifetime limitation on psychiatric hospital care) and non-quantitative treatment limitations that would [violate the Parity Act](#). Applying the Parity Act to Medicare Parts A, B, C, and D is the critical next step to make mental health and substance use disorder services available and accessible to the millions of Medicare beneficiaries in need of treatment.

While the Parity Act will ensure that treatment is offered in a non-discriminatory way, Congress must also authorize the [missing services, settings, and providers](#) on the continuum of substance use disorder and mental health treatment in Medicare. Currently, Medicare covers the least and most intensive levels of care – office-based outpatient and hospital inpatient care – but fails to cover the evidence-based intermediate services that allow beneficiaries to remain in their communities while getting treatment, resulting in unnecessary and preventable hospitalizations and deaths. It also fails to cover the full range of settings and providers that offer substance use disorder and mental health treatment, creating additional barriers to care.

We urge you to authorize Medicare coverage for intensive outpatient services and partial hospitalization services for primary substance use disorder treatment under Medicare Part B and residential services under Medicare Part A to ensure that beneficiaries can get the appropriate level of care they need in the least restrictive setting. Medicare must also cover the community-based facilities where substance use disorder treatment is commonly delivered – as Congress did with coverage of opioid treatment programs – in order to significantly expand access to care. Finally, we urge you to address the mental health and substance use disorder workforce crisis by authorizing Medicare coverage of Licensed Professional Counselors (including Mental Health Counselors), Licensed and Certified Substance Use Disorder Counselors, Marriage and Family Therapists, and Peer Support Specialists. Congress must also ensure that Medicare reimbursement rates for mental health and substance use disorder practitioners, including clinical social workers, psychologists, and psychiatrists, are fair and meet the cost of care delivery. All providers must receive Medicare reimbursement for practicing at the full scope of their license and in the full range of settings to meet beneficiary needs and ensure continuity of care.

Mental health and substance use disorders do not disappear when people turn 65. Older adults also develop these conditions as their lives change and use more medications to treat other medical conditions. Applying the Parity Act to Medicare and authorizing the full range of services, settings, and providers for substance use disorder and mental health care will ensure consistency across our health care financing systems and alleviate the financial burdens currently shifted to Medicare beneficiaries and the states.

Thank you for all that you do to improve access to mental health and substance use disorder treatment. For additional information, please contact Ellen Weber (eweber@lac.org) and Deborah Steinberg (dsteinberg@lac.org) from the Legal Action Center. We look forward to working with you to ensure comprehensive and equitable care for Medicare beneficiaries.

Sincerely,

A New PATH (Parents for Addiction Treatment & Healing)
ADACCV
ADAPT Foundation
ADAPT Programs
Aging Life Care Association®
AHEC West (Maryland Area Health Education Center West)
Aliviane
All Points North
Alliance for Substance Abuse Progress
Alpha Home, Inc.
American Association for Marriage and Family Therapy
American Association for the Treatment of Opioid Dependence
American Association on Health and Disability
American Council of the Blind
American Foundation for Suicide Prevention
American Nurses Association Massachusetts, Inc.
Amethyst House, Inc.

Appalachian Recovery Alliance
APN Capital
Arizona Peer and Family Coalition
The Artistic Recovery
Association for Ambulatory Behavioral Healthcare
Autistic Women & Nonbinary Network
Behavioral Health Alliance of Montana
Behavioral Health System Baltimore
Benjamin Rose Institute on Aging
Billy T Cattan Recovery Outreach
Bluebonnet Trails Community Services
Boston University School of Social Work Center for Aging and Disability Education and
Research
Boyd Andrew Community Services
Brazos Valley Council on Alcohol and Substance Abuse
California Access Coalition
California Association of Marriage and Family Therapists
California Council of Community Behavioral Health Agencies (CBHA)
Center for Elder Law & Justice
Center for Living and Learning
Center for Medicare Advocacy
Center for Mental Health
Central California 2S/LGBTQIA+ Collaborative
Chainless Change
Challenge of Tarrant County
Charlotte Center for Legal Advocacy
CMDS Management
CMDS Residential LLC
Coalition of Medication Assisted Treatment Providers and Advocates (COMPA)
Coastlands Ministries DBA Project Lazarus
Community Behavioral Health Association of Maryland
Community Catalyst
The Connecticut Community for Addiction Recovery
Continuum Outpatient Center
Corsica River Mental Health Services, Inc.
Creekview Counseling
Crossroads Community, Inc.
The Council of Southeast PA
The Council on Recovery
Depression and Bipolar Support Alliance
Disability Rights California
Disability Rights Maryland
Dismas House of Indiana, Inc.
Drug Policy Alliance
Drug Prevention Resources
EAC-New Path Treatment Center

Eating Disorders Coalition for Research, Policy & Action
Ensign Services
Evergreen Health
Faces & Voices of Recovery
Families USA
Family Service League
Family Support Network
FAVOR Grand Stand
Flagler OARS
Florida Mental Health Advocacy Coalition
Forever Free Foundation Inc.
Fresh Start of Miami Dade, Inc.
Friends of Recovery Warren & Washington
Gabriel's Giving Tree
The Gerontological Society of America
Go-Getters, Inc.
Gateway Nebraska Healthcare
The Happier Life Project
Health Care for the Homeless – Baltimore
Health Law Advocates
Healthy DC & Me Leadership Coalition
Helen Farabee Centers
Homeward Bound, Inc.
Hudson Behavioral Health
HUGS, Inc.
iHOPE-Intentional Holistic Opportunities to Promote Empowerment INC.
Illinois Association for Behavioral Health
Indiana Addiction Issues Coalition
Infinite Recovery
Institutes for Behavior Resources, Inc.
Inter-Care
Intercultural Senior Center
Iowa Behavioral Health Association
Ironworkers Local 40, 361 & 417 MAP
James' Place, Inc.
Jay County Drug Prevention Coalition, Inc.
Justice in Aging
The Kennedy Forum
Kenneth Peters Center for Recovery
Key Point Health Services Inc.
Keystone Villas
La Hacienda Treatment Center
Lakeshore Foundation
Legal Action Center
Liberty Behavioral Management Group, Inc.
Lifetime Recovery

Lifeway International
Living Stones Recovery LLC
Long Island Center for Recovery, Inc.
Lower Shore Clinic
Luminis Health Pathways
MA Older Adult Behavioral Health Network
Manhasset CASA
Maryland Addiction Directors Council
Maryland Association for the Treatment of Opioid Dependence
Maryland Coalition of Families
Maryland Psychological Association
Massachusetts Association for Mental Health
Massachusetts Psychological Association
Massapequa Pain Management
Medicare Rights Center
Mental Health America
Mental Health America of Indiana
Mental Health Association of Maryland
Mental Health Connection
Mental Health Legal Advisors Committee
M.I. Mother's Keeper
Miami Recovery Project
Midland County (Texas) Hospital District
Midwest AODA Services
Midwest Psychological Services
Minnesota Recovery Connection
Missouri Coalition of Recovery Support Providers
Montana Community Services, Inc.
Montgomery County, Maryland Government, Department of Health and Human Services –
Behavioral Health and Crisis Services
Mountain Home, MT
Mountainside
NAMI Connecticut
NAMI Washington
National Alliance on Mental Illness (NAMI)
National Association for Behavioral Healthcare
National Association of Addiction Treatment Providers
National Association of Nutrition and Aging Services Programs
National Association of Social Workers (NASW)
National Association of State Alcohol and Drug Abuse Directors (NASADAD)
National Association of State Long Term Care Ombudsman Programs (NASOP)
National Council for Mental Wellbeing
National Council on Aging
National Council on Alcoholism and Drug Dependence of Maryland (NCADD-MD)
National Disability Rights Network (NDRN)
National Health Care for the Homeless Council

National Health Law Program
National Indian Council on Aging
National League of Cities
National Rural Health Association
Nebraska Mental Health and Aging Coalition
Nebraska Mental Health Centers
New Choices Treatment Centers
New Jersey Association of Mental Health and Addiction Agencies, Inc.
New Life II Faith Base Recovery Community Center, Peer Support and Trainings
New York State Council for Community Behavioral Healthcare
NM Black Mental Health Coalition
North Shore Child and Family Guidance Center
Northwest Health Law Associates
Ohio Association for the Treatment of Opioid Dependence (OATOD)
The Ohio Council of Behavioral Health & Family Services Providers
Ohio Counseling Association
Oklahoma CART Association
Oklahoma Mental Health and Aging Coalition
Omega Recovery
Open United Recovery Place
Orange County Recovery Collaboration
Oregon Council for Behavioral Health
Origins Behavioral HealthCare
Outreach New York
Partnership for Children
Partnership to End Addiction
People Advocating Recovery
People Encouraging People
People Engaged in Recovery
Post Acute Recovery
Prestige 2.0
PRO-ACT
Project HEAL
Project HELP Long Island
The Purpose of Recovery
Quality Consortium of Suffolk County
Quality Laboratory Services
Real Deal Therapy and Wellness
Recovery Advocates in Livingston, Inc.
Recovery Communities of North Carolina
Recovery Consultants of Atlanta, Inc.
Recovery Council of SETX
RecoveryPeople
REDC
Rehabilitation and Community Providers Association
Ripple Ranch Recovery Center

Safe Haven Recovery Engagement Center
Sage Recovery & Wellness Center
Sage's Army, Inc.
San Antonio Council on Alcohol and Drug Awareness (SACADA)
Sandusky Artisans Recovery Community Center
Santa Maria Hostel, Inc.
Serenity House Communities
The Serenity House of Flint
Somers Tax Services LLC
Southeast Asia Resource Action Center (SEARAC)
The Springboard Center
Springs Recovery Connection
Stages of Recovery, Inc.
Steinberg Institute
Summer Sky, Inc.
Teamster Center Services Fund
Tempo Group
Texas Association of Addiction Professionals
Thomas Scattergood Behavioral Health Foundation
Transformation Health, LLC
Treatment Advocacy Center
Triple Track Treatment
Umoja Behavioral Health, PC
Unity Health Clinics of Georgia
U.S. People Living with HIV Caucus
Utah Support Advocates for Recovery Awareness (USARA)
Valley Association of Addiction Professionals
VICTA
Victory House for Women
Villa Veritas Foundation
Voices of Hope, Inc.
Weiss Law Firm
Wellbridge Addiction Treatment and Research
Welllifenetwork
Western Montana Mental Health Center
Windmill Wellness Ranch
Woodlands Recovery Centers
WV Behavioral Healthcare Providers Association
WVAADC – the Association for Addiction Professionals
YES Community Counseling Center
Youth and Family Counseling Agency of Oyster Bay East Norwich, Inc.
1000 Cranes for Recovery
Aleta Johnson, LICSW
Jennifer Herbst
Maria Romer LCSW-R
Thomas F. Jan D.O., PC