

107TH CONGRESS
1ST SESSION

S. 1283

To establish a program for the delivery of mental health services by telehealth.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2001

Mr. JOHNSON introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a program for the delivery of mental health services by telehealth.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telehealth Mental
5 Health Services Act”.

6 **SEC. 2. MENTAL HEALTH SERVICES DELIVERED VIA TELE-**
7 **HEALTH.**

8 Subpart I of part D of title III of the Public Health
9 Service Act (42 U.S.C. 254b et seq.) is amended by adding
10 at the end the following:

1 **“SEC. 330I. MENTAL HEALTH SERVICES DELIVERED VIA**
2 **TELEHEALTH.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
5 tity’ means a public or nonprofit private telehealth
6 provider network that offers services that include
7 mental health services provided by qualified mental
8 health providers.

9 “(2) QUALIFIED MENTAL HEALTH EDUCATION
10 PROFESSIONALS.—The term ‘qualified mental health
11 education professionals’ refers to teachers, commu-
12 nity mental health professionals, nurses, and other
13 entities as determined by the Secretary who have ad-
14 ditional training in the delivery of information on
15 mental illness to children and adolescents or who
16 have additional training in the delivery of informa-
17 tion on mental illness to the elderly.

18 “(3) QUALIFIED MENTAL HEALTH PROFES-
19 SIONALS.—The term ‘qualified mental health profes-
20 sionals’ refers to providers of mental health services
21 reimbursed under the medicare program carried out
22 under title XVIII of the Social Security Act (42
23 U.S.C. 1395 et seq.) who have additional training in
24 the treatment of mental illness in children and ado-
25 lescents or who have additional training in the treat-
26 ment of mental illness in the elderly.

1 “(4) SPECIAL POPULATIONS.—The term ‘spe-
2 cial populations’ refers to the following 2 distinct
3 groups:

4 “(A) Children and adolescents located in
5 public elementary and public secondary schools
6 in mental health underserved rural areas or in
7 mental health underserved urban areas.

8 “(B) Elderly individuals located in long-
9 term care facilities in mental health under-
10 served rural areas.

11 “(5) TELEHEALTH.—The term ‘telehealth’
12 means the use of electronic information and tele-
13 communications technologies to support long dis-
14 tance clinical health care, patient and professional
15 health-related education, public health, and health
16 administration.

17 “(b) PROGRAM AUTHORIZED.—

18 “(1) IN GENERAL.—The Secretary, acting
19 through the Director of the Office for the Advance-
20 ment of Telehealth of the Health Resources and
21 Services Administration, shall award grants to eligi-
22 ble entities to establish demonstration projects for
23 the provision of mental health services to special
24 populations as delivered remotely by qualified mental
25 health professionals using telehealth and for the pro-

1 vision of education regarding mental illness as deliv-
2 ered remotely by qualified mental health profes-
3 sionals and qualified mental health education profes-
4 sionals using telehealth.

5 “(2) NUMBER OF DEMONSTRATION
6 PROJECTS.—Ten grants shall be awarded under
7 paragraph (1) to provide services for the children
8 and adolescents described in subsection (a)(4)(A)
9 and not fewer than 6 of such grants shall be for
10 services rendered to individuals in rural areas. Ten
11 grants shall also be awarded under paragraph (1) to
12 provide services for the elderly individuals described
13 in subsection (a)(4)(B) in rural areas. If the max-
14 imum number of grants to be awarded under para-
15 graph (1) is not awarded, the Secretary shall award
16 the grants under paragraph (1) in a manner that
17 distributes the grants so as to serve equitably the
18 populations described in subparagraphs (A) and (B)
19 of subsection (a)(4).

20 “(c) AMOUNT.—Each entity that receives a grant
21 under subsection (b) shall receive not less than \$1,500,000
22 under the grant, and shall use not more than 40 percent
23 of the grant funds for equipment.

24 “(d) USE OF FUNDS.—

1 “(1) IN GENERAL.—An eligible entity that re-
2 ceives a grant under this section shall use the grant
3 funds—

4 “(A) for the populations described in sub-
5 section (a)(4)(A)—

6 “(i) to provide mental health services,
7 including diagnosis and treatment of men-
8 tal illness, in public elementary and public
9 secondary schools as delivered remotely by
10 qualified mental health professionals using
11 telehealth;

12 “(ii) to provide education regarding
13 mental illness (including suicide and vio-
14 lence) in public elementary and public sec-
15 ondary schools as delivered remotely by
16 qualified mental health professionals and
17 qualified mental health education profes-
18 sionals using telehealth, including edu-
19 cation regarding early recognition of the
20 signs and symptoms of mental illness, and
21 instruction on coping and dealing with
22 stressful experiences of childhood and ado-
23 lescence (such as violence, social isolation,
24 and depression); and

1 “(iii) to collaborate with local public
2 health entities to provide the mental health
3 services; and

4 “(B) for the populations described in sub-
5 section (a)(4)(B)—

6 “(i) to provide mental health services,
7 including diagnosis and treatment of men-
8 tal illness, in long-term care facilities as
9 delivered remotely by qualified mental
10 health professionals using telehealth;

11 “(ii) to provide education regarding
12 mental illness to primary staff (including
13 physicians, nurses, and nursing aides) as
14 delivered remotely by qualified mental
15 health professionals and qualified mental
16 health education professionals using tele-
17 health, including education regarding early
18 recognition of the signs and symptoms of
19 mental illness, and instruction on coping
20 and dealing with stressful experiences of
21 old age (such as loss of physical and cog-
22 nitive capabilities, death of loved ones and
23 friends, social isolation, and depression);
24 and

1 “(iii) to collaborate with local public
2 health entities to provide the mental health
3 services.

4 “(2) OTHER USES.—An eligible entity that re-
5 ceives a grant under this section may also use the
6 grant funds to—

7 “(A) acquire telehealth equipment to use
8 in public elementary and public secondary
9 schools and long-term care facilities for the ob-
10 jectives of this section;

11 “(B) develop curricula to support activities
12 described in subparagraphs (A)(ii) and (B)(ii)
13 of paragraph (1);

14 “(C) pay telecommunications costs; and

15 “(D) pay qualified mental health profes-
16 sionals and qualified mental health education
17 professionals on a reasonable cost basis as de-
18 termined by the Secretary for services rendered.

19 “(3) PROHIBITED USES.—An eligible entity
20 that receives a grant under this section shall not use
21 the grant funds to—

22 “(A) purchase or install transmission
23 equipment (other than such equipment used by
24 qualified mental health professionals to deliver

1 mental health services using telehealth under
2 the project involved); or

3 “(B) build upon or acquire real property
4 (except for minor renovations related to the in-
5 stallation of reimbursable equipment).

6 “(e) **EQUITABLE DISTRIBUTION.**—In awarding
7 grants under this section, the Secretary shall ensure, to
8 the greatest extent possible, that such grants are equitably
9 distributed among geographical regions of the United
10 States.

11 “(f) **APPLICATION.**—An entity that desires a grant
12 under this section shall submit an application to the Sec-
13 retary at such time, in such manner, and containing such
14 information as the Secretary determines to be reasonable.

15 “(g) **REPORT.**—Not later than 5 years after the date
16 of enactment of the Health Care Safety Net Amendments
17 of 2001, the Secretary shall prepare and submit a report
18 to the appropriate committees of Congress that shall
19 evaluate activities funded with grants under this section.

20 “(h) **AUTHORIZATION OF APPROPRIATIONS.**—There
21 are authorized to be appropriated to carry out this section,
22 \$30,000,000 for fiscal year 2002 and such sums as may
23 be necessary for fiscal years 2003 through 2009.

1 “(i) SUNSET PROVISION.—This section shall be effec-
2 tive for 7 years from the date of enactment of this sec-
3 tion.”.

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