

114TH CONGRESS  
2D SESSION

# S. 2680

To amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 15, 2016

Mr. ALEXANDER (for himself, Mrs. MURRAY, Mr. CASSIDY, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Mental Health Reform Act of 2016”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING LEADERSHIP AND ACCOUNTABILITY

Sec. 101. Improving oversight of mental and substance use disorder programs.

- Sec. 102. Strengthening leadership of the Substance Abuse and Mental Health Services Administration.
- Sec. 103. Chief Medical Officer.
- Sec. 104. Strategic plan.
- Sec. 105. Biennial report concerning activities and progress.
- Sec. 106. Authorities of centers for mental health services.
- Sec. 107. Advisory councils.
- Sec. 108. Peer review.
- Sec. 109. Inter-Departmental Serious Mental Illness Coordinating Committee.

## TITLE II—ENSURING MENTAL AND SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY PROGRAMS KEEP PACE WITH SCIENCE

- Sec. 201. Encouraging innovation and evidence-based programs.
- Sec. 202. Promoting access to information on evidence-based programs and practices.
- Sec. 203. Priority mental health needs of regional and national significance.

## TITLE III—SUPPORTING STATE RESPONSES TO MENTAL HEALTH AND SUBSTANCE USE DISORDER NEEDS

- Sec. 301. Community Mental Health Services Block Grant.
- Sec. 302. Additional provisions related to the block grants.
- Sec. 303. Study of distribution of funds under the Substance Abuse Prevention and Treatment Block Grant and the Community Mental Health Services Block Grant.

## TITLE IV—PROMOTING ACCESS TO MENTAL HEALTH AND SUBSTANCE USE DISORDER CARE

- Sec. 401. Grants for treatment and recovery for homeless individuals.
- Sec. 402. Grants for jail diversion programs.
- Sec. 403. Promoting integration of primary and behavioral health care.
- Sec. 404. Projects for assistance in transition from homelessness.
- Sec. 405. National Suicide Prevention Lifeline program.
- Sec. 406. Connecting individuals and families with care.
- Sec. 407. Streamlining mental and behavioral health workforce programs.
- Sec. 408. Reports.
- Sec. 409. Centers and program repeals.

## TITLE V—STRENGTHENING MENTAL AND SUBSTANCE USE DISORDER CARE FOR CHILDREN AND ADOLESCENTS

- Sec. 501. Programs for children with serious emotional disturbances.
- Sec. 502. Telehealth child psychiatry access grants.
- Sec. 503. Substance use disorder treatment and early intervention services for children and adolescents.
- Sec. 504. Residential treatment programs for pregnant and parenting women.

## TITLE VI—IMPROVING PATIENT CARE AND ACCESS TO MENTAL AND SUBSTANCE USE DISORDER BENEFITS

- Sec. 601. HIPAA clarification.
- Sec. 602. Identification of model training programs.
- Sec. 603. Confidentiality of records.

Sec. 604. Enhanced compliance with mental health and substance use disorder coverage requirements.

Sec. 605. Action plan for enhanced enforcement of mental health and substance use disorder coverage.

Sec. 606. Report on investigations regarding parity in mental health and substance use disorder benefits.

Sec. 607. GAO study on coverage limitations for individuals with serious mental illness and substance use disorders.

Sec. 608. Clarification of existing parity rules.

# **1 TITLE I—STRENGTHENING 2 LEADERSHIP AND ACCOUNT- 3 ABILITY**

## **4 SEC. 101. IMPROVING OVERSIGHT OF MENTAL AND SUB- 5 STANCE USE DISORDER PROGRAMS.**

6 (a) IN GENERAL.—The Secretary of Health and  
7 Human Services, acting through the Assistant Secretary  
8 for Planning and Evaluation (referred to in this section  
9 as the “Assistant Secretary”), shall ensure efficient and  
10 effective planning and evaluation of mental and substance  
11 use disorder programs and related activities.

12 (b) ACTIVITIES.—In carrying out subsection (a), the  
13 Assistant Secretary shall—

14 (1) evaluate programs related to mental and  
15 substance use disorders, including co-occurring dis-  
16 orders, across agencies and other organizations, as  
17 appropriate, including programs related to—

18 (A) prevention, intervention, treatment,  
19 and recovery support services, including such  
20 services for individuals with a serious mental ill-  
21 ness or serious emotional disturbance;

1 (B) the reduction of homelessness and in-  
 2 carceration among individuals with a mental or  
 3 substance use disorder; and

4 (C) public health and health services; and

5 (2) consult, as appropriate, with the Adminis-  
 6 trator of the Substance Abuse and Mental Health  
 7 Services Administration, the Chief Medical Officer of  
 8 the Substance Abuse and Mental Health Services  
 9 Administration, established under section 501(g) of  
 10 the Public Health Service Act (42 U.S.C. 290aa(g))  
 11 as amended by section 103, other agencies within  
 12 the Department of Health and Human Services, and  
 13 other relevant Federal departments.

14 (c) RECOMMENDATIONS.—The Assistant Secretary  
 15 shall evaluate and provide recommendations to the Sub-  
 16 stance Abuse and Mental Health Services Administration  
 17 and other relevant agencies within the Department of  
 18 Health and Human Services on improving programs and  
 19 activities based on the evaluation described in subsection  
 20 (b)(1).

21 **SEC. 102. STRENGTHENING LEADERSHIP OF THE SUB-**  
 22 **STANCE ABUSE AND MENTAL HEALTH SERV-**  
 23 **ICES ADMINISTRATION.**

24 Section 501 of the Public Health Service Act (42  
 25 U.S.C. 290aa) is amended—

1 (1) in subsection (b)—

2 (A) by striking the heading and inserting  
3 “CENTERS”; and

4 (B) in the matter preceding paragraph (1),  
5 by striking “entities” and inserting “Centers”;  
6 and

7 (2) in subsection (d)—

8 (A) in paragraph (1)—

9 (i) by striking “agencies” each place  
10 the term appears and inserting “Centers”;  
11 and

12 (ii) by striking “such agency” and in-  
13 serting “such Center”;

14 (B) in paragraph (2)—

15 (i) by striking “agencies” and insert-  
16 ing “Centers”;

17 (ii) by striking “with respect to sub-  
18 stance abuse” and inserting “with respect  
19 to substance use disorders”; and

20 (iii) by striking “and individuals who  
21 are substance abusers” and inserting “and  
22 individuals with substance use disorders”;

23 (C) in paragraph (5), by striking “sub-  
24 stance abuse” and inserting “substance use dis-  
25 order”;

1 (D) in paragraph (6)—

2 (i) by striking “the Centers for Dis-  
3 ease Control” and inserting “the Centers  
4 for Disease Control and Prevention,”;

5 (ii) by striking “HIV or tuberculosis  
6 among substance abusers and individuals  
7 with mental illness” and inserting “HIV,  
8 hepatitis C, tuberculosis, and other com-  
9 municable diseases among individuals with  
10 mental illness or substance use disorders,”;  
11 and

12 (iii) by inserting “or disorders” before  
13 the semicolon;

14 (E) in paragraph (7), by striking “abuse  
15 utilizing anti-addiction medications, including  
16 methadone” and inserting “use disorders, in-  
17 cluding services that utilize drugs or devices ap-  
18 proved by the Food and Drug Administration  
19 for substance use disorders”;

20 (F) in paragraph (8)—

21 (i) by striking “Agency for Health  
22 Care Policy Research” and inserting  
23 “Agency for Healthcare Research and  
24 Quality”; and

1 (ii) by striking “treatment and pre-  
 2 vention” and inserting “prevention and  
 3 treatment”;

4 (G) in paragraph (9)—

5 (i) by inserting “and maintenance”  
 6 after “development”;

7 (ii) by striking “Agency for Health  
 8 Care Policy Research” and inserting  
 9 “Agency for Healthcare Research and  
 10 Quality”; and

11 (iii) by striking “treatment and pre-  
 12 vention” and inserting “prevention and  
 13 treatment and appropriately incorporated  
 14 into programs carried out by the Adminis-  
 15 tration”;

16 (H) in paragraph (10), by striking “abuse”  
 17 and inserting “use disorder”;

18 (I) by striking paragraph (11) and insert-  
 19 ing the following:

20 “(11) work with relevant agencies of the De-  
 21 partment of Health and Human Services on inte-  
 22 grating mental health promotion and substance use  
 23 disorder prevention with general health promotion  
 24 and disease prevention and integrating mental and

substance use disorder treatment services with physical health treatment services;”;

(J) in paragraph (13)—

(i) in the matter preceding subparagraph (A), by striking “this title, assure that” and inserting “this title, or part B of title XIX, or grant programs otherwise funded by the Administration”;

(ii) in subparagraph (A)—

(I) by inserting “require that”

before “all grants”; and

(II) by striking “and” at the end;

(iii) by redesignating subparagraph

(B) as subparagraph (C);

(iv) by inserting after subparagraph

(A) the following:

“(B) ensure that the director of each Cen-

ter of the Administration consistently docu-

ments the application of criteria when awarding

grants and the ongoing oversight of grantees

after such grants are awarded;”;

(v) in subparagraph (C), as so red-

esignated—

(I) by inserting “require that”

before “all grants”; and



1 (II) by inserting “and” after the  
 2 semicolon at the end; and

3 (vi) by adding at the end the fol-  
 4 lowing:

5 “(D) inform a State when any funds are  
 6 awarded through such a grant to any entity  
 7 within such State;”;

8 (K) in paragraph (16)—

9 (i) by striking “abuse and mental  
 10 health information” and inserting “use dis-  
 11 order, including evidence-based and prom-  
 12 ising best practices for prevention, treat-  
 13 ment, and recovery support services for in-  
 14 dividuals with mental and substance use  
 15 disorders,”;

16 (L) in paragraph (17)—

17 (i) by striking “substance abuse” and  
 18 inserting “mental and substance use dis-  
 19 order”; and

20 (ii) by striking “and” at the end;

21 (M) in paragraph (18), by striking the pe-  
 22 riod and inserting a semicolon; and

23 (N) by adding at the end the following:

24 “(19) consult with State, local, and tribal gov-  
 25 ernments, nongovernmental entities, and individuals

1 with mental illness, particularly individuals with a  
2 serious mental illness and children and adolescents  
3 with a serious emotional disturbance, and their fam-  
4 ily members, with respect to improving community-  
5 based and other mental health services;

6 “(20) collaborate with the Secretary of Defense  
7 and the Secretary of Veterans Affairs to improve the  
8 provision of mental and substance use disorder serv-  
9 ices provided by the Department of Defense and the  
10 Department of Veterans Affairs to veterans, includ-  
11 ing through the provision of services using the tele-  
12 health capabilities of the Department of Veterans  
13 Affairs;

14 “(21) collaborate with the heads of Federal de-  
15 partments and programs that are members of the  
16 United States Interagency Council on Homelessness,  
17 particularly the Secretary of Housing and Urban  
18 Development, the Secretary of Labor, and the Sec-  
19 retary of Veterans Affairs, and with the heads of  
20 other agencies within the Department of Health and  
21 Human Services, particularly the Administrator of  
22 the Health Resources and Services Administration,  
23 the Assistant Secretary for the Administration for  
24 Children and Families, and the Administrator of the  
25 Centers for Medicare & Medicaid Services, to design

1 national strategies for providing services in sup-  
 2 portive housing to assist in ending chronic homeless-  
 3 ness and to implement programs that address chron-  
 4 ic homelessness; and

5 “(22) work with States and other stakeholders  
 6 to develop and support activities to recruit and re-  
 7 tain a workforce addressing mental and substance  
 8 use disorders.”.

9 **SEC. 103. CHIEF MEDICAL OFFICER.**

10 Section 501 of the Public Health Service Act (42  
 11 U.S.C. 290aa), as amended by section 102, is further  
 12 amended—

13 (1) by redesignating subsections (g) through (j)  
 14 and subsections (k) through (o) as subsections (h)  
 15 through (k) and subsections (m) through (q), respec-  
 16 tively;

17 (2) in subsection (e)(3)(C), by striking “sub-  
 18 section (k)” and inserting “subsection (m)”;

19 (3) in subsection (f)(2)(C)(iii), by striking “sub-  
 20 section (k)” and inserting “subsection (m)”;

21 (4) by inserting after subsection (f) the fol-  
 22 lowing:

23 “(g) CHIEF MEDICAL OFFICER.—

1           “(1) IN GENERAL.—The Administrator, with  
2           the approval of the Secretary, shall appoint a Chief  
3           Medical Officer within the Administration.

4           “(2) ELIGIBLE CANDIDATES.—The Adminis-  
5           trator shall select the Chief Medical Officer from  
6           among individuals who—

7                   “(A) have a doctoral degree in medicine or  
8                   osteopathic medicine;

9                   “(B) have experience in the provision of  
10                  mental or substance use disorder services;

11                  “(C) have experience working with mental  
12                  or substance use disorder programs; and

13                  “(D) have an understanding of biological,  
14                  psychosocial, and pharmaceutical treatments of  
15                  mental or substance use disorders.

16           “(3) DUTIES.—The Chief Medical Officer  
17           shall—

18                   “(A) serve as a liaison between the Admin-  
19                   istration and providers of mental and substance  
20                   use disorder prevention, treatment, and recov-  
21                   ery services;

22                   “(B) assist the Administrator in the eval-  
23                   uation, organization, integration, and coordina-  
24                   tion of programs operated by the Administra-  
25                   tion;

“(C) promote evidence-based and promising best practices, including culturally and linguistically appropriate practices, as appropriate, for the prevention, treatment, and recovery of substance use disorders and mental illness, including serious mental illness and serious emotional disturbance; and

“(D) participate in regular strategic planning for the Administration.”.

**SEC. 104. STRATEGIC PLAN.**

Section 501 of the Public Health Service Act (42 U.S.C. 290aa), as amended by section 103, is further amended by inserting after subsection (k), as redesignated in section 103, the following:

“(l) STRATEGIC PLAN.—

“(1) IN GENERAL.—Not later than December 1, 2017, and every 4 years thereafter, the Administrator shall develop and carry out a strategic plan in accordance with this subsection for the planning and operation of programs and grants carried out by the Administration.

“(2) COORDINATION.—In developing and carrying out the strategic plan under this section, the Administrator shall take into consideration the findings and recommendations of the Assistant Sec-

1       retary for Planning and Evaluation under section  
2       101 of the Mental Health Reform Act of 2016 and  
3       the report of the Inter-Departmental Serious Mental  
4       Illness Coordinating Committee under section 109 of  
5       such Act.

6               “(3) PUBLICATION OF PLAN.—Not later than  
7       December 1, 2017, and every 4 years thereafter, the  
8       Administrator shall—

9               “(A) submit the strategic plan developed  
10       under paragraph (1) to the appropriate commit-  
11       tees of Congress; and

12              “(B) post such plan on the Internet  
13       website of the Administration.

14              “(4) CONTENTS.—The strategic plan developed  
15       under paragraph (1) shall—

16              “(A) identify strategic priorities, goals, and  
17       measurable objectives for mental and substance  
18       use disorder activities and programs operated  
19       and supported by the Administration;

20              “(B) identify ways to improve services for  
21       individuals with a mental or substance use dis-  
22       order, including services related to the preven-  
23       tion of, diagnosis of, intervention in, treatment  
24       of, and recovery from, mental or substance use  
25       disorders, including serious mental illness or se-

rious emotional disturbance, and access to services and supports for individuals with a serious mental illness or serious emotional disturbance;

“(C) ensure that programs provide, as appropriate, access to effective and evidence-based diagnosis, prevention, intervention, treatment, and recovery services, including culturally and linguistically appropriate services, as appropriate, for individuals with a mental or substance use disorder;

“(D) identify opportunities to collaborate with the Health Resources and Services Administration to develop or improve—

“(i) initiatives to encourage individuals to pursue careers (especially in rural and underserved areas and populations) as psychiatrists, psychologists, psychiatric nurse practitioners, physician assistants, clinical social workers, certified peer support specialists, or other licensed or certified mental health professionals, including such professionals specializing in the diagnosis, evaluation, or treatment of individuals with a serious mental illness or serious emotional disturbance; and

1 “(ii) a strategy to improve the recruit-  
 2 ment, training, and retention of a work-  
 3 force for the treatment of individuals with  
 4 mental or substance use disorders, or co-  
 5 occurring disorders; and

6 “(E) disseminate evidenced-based and  
 7 promising best practices related to prevention,  
 8 early intervention, treatment, and recovery serv-  
 9 ices related to mental illness, particularly for in-  
 10 dividuals with a serious mental illness and chil-  
 11 dren and adolescents with a serious emotional  
 12 disturbance, and substance use disorders.”.

13 **SEC. 105. BIENNIAL REPORT CONCERNING ACTIVITIES AND**  
 14 **PROGRESS.**

15 (a) IN GENERAL.—Section 501 of the Public Health  
 16 Service Act (42 U.S.C. 290aa), as amended by section  
 17 104, is further amended by amending subsection (m), as  
 18 redesignated by section 103, to read as follows:

19 “(m) BIENNIAL REPORT CONCERNING ACTIVITIES  
 20 AND PROGRESS.—Not later than December of 2019, and  
 21 every 2 years thereafter, the Administrator shall prepare  
 22 and submit to the Committee on Energy and Commerce  
 23 and the Committee on Appropriations of the House of  
 24 Representatives and the Committee on Health, Education,  
 25 Labor, and Pensions and the Committee on Appropria-



1 tions of the Senate, and post on the Internet website of  
2 the Administration, a report containing at a minimum—

3 “(1) a review of activities conducted or sup-  
4 ported by the Administration, including progress to-  
5 ward strategic priorities, goals, and objectives identi-  
6 fied in the strategic plan developed under subsection  
7 (1);

8 “(2) an assessment of programs and activities  
9 carried out by the Administrator, including the ex-  
10 tent to which programs and activities under this title  
11 and part B of title XIX meet identified goals and  
12 performance measures developed for the respective  
13 programs and activities;

14 “(3) a description of the progress made in ad-  
15 dressing gaps in mental and substance use disorder  
16 prevention, treatment, and recovery services and im-  
17 proving outcomes by the Administration, including  
18 with respect to co-occurring disorders;

19 “(4) a description of the manner in which the  
20 Administration coordinates and partners with other  
21 Federal agencies and departments related to mental  
22 and substance use disorders, including activities re-  
23 lated to—

24 “(A) the translation of research findings  
25 into improved programs, including with respect

1 to how advances in serious mental illness and  
2 serious emotional disturbance research have  
3 been incorporated into programs;

4 “(B) the recruitment, training, and reten-  
5 tion of a mental and substance use disorder  
6 workforce;

7 “(C) the integration of mental or sub-  
8 stance use disorder services and physical health  
9 services;

10 “(D) homelessness; and

11 “(E) veterans;

12 “(5) a description of the manner in which the  
13 Administration promotes coordination by grantees  
14 under this title, and part B of title XIX, with State  
15 or local agencies; and

16 “(6) a description of the activities carried out  
17 by the Office of Policy, Planning, and Innovation  
18 under section 501A with respect to mental and sub-  
19 stance use disorders, including—

20 “(A) the number and a description of  
21 grants awarded;

22 “(B) the total amount of funding for  
23 grants awarded;

1 “(C) a description of the activities sup-  
 2 ported through such grants, including outcomes  
 3 of programs supported; and

4 “(D) information on how the Office of Pol-  
 5 icy, Planning, and Innovation is consulting with  
 6 the Assistant Secretary for Planning and Eval-  
 7 uation, and collaborating with the Center of  
 8 Substance Abuse Treatment, the Center of Sub-  
 9 stance Abuse Prevention, and the Center for  
 10 Mental Health Services to carry out such activi-  
 11 ties; and

12 “(7) recommendations made by the Assistant  
 13 Secretary for Planning and Evaluation to improve  
 14 programs within the Administration.”.

15 (b) CONFORMING AMENDMENT.—Section 508(p) of  
 16 the Public Health Service Act (42 U.S.C. 290bb–1) is  
 17 amended by striking “section 501(k)” and inserting “sec-  
 18 tion 501(m)”.

19 **SEC. 106. AUTHORITIES OF CENTERS FOR MENTAL HEALTH**  
 20 **SERVICES.**

21 Section 520(b) of the Public Health Service Act (42  
 22 U.S.C. 290bb–31(b)) is amended—

23 (1) by redesignating paragraphs (3) through  
 24 (15) as paragraphs (4) through (16), respectively;

1           (2) by inserting after paragraph (2) the fol-  
2       lowing:

3           “(3) collaborate with the Director of the Na-  
4       tional Institute of Mental Health and the Chief Med-  
5       ical Officer, appointed under section 501(g), to en-  
6       sure that, as appropriate, programs related to the  
7       prevention of mental illness and the promotion of  
8       mental health are carried out in a manner that re-  
9       flects the best available science and evidence-based  
10      practices, including culturally and linguistically ap-  
11      propriate services, as appropriate;”;

12          (3) in paragraph (5), as so redesignated, by in-  
13      serting “through programs that reduce risk and pro-  
14      mote resiliency” before the semicolon;

15          (4) in paragraph (6), as so redesignated, by in-  
16      serting “in collaboration with the Director of the  
17      National Institute of Mental Health,” before “de-  
18      velop”;

19          (5) in paragraph (8), as so redesignated, by in-  
20      serting “, increase meaningful participation of indi-  
21      viduals with mental illness,” before “and protect the  
22      legal”;

23          (6) in paragraph (10), as so redesignated, by  
24      striking “professional and paraprofessional per-  
25      sonnel pursuant to section 303” and inserting

1 “paraprofessional personnel and health profes-  
2 sionals”;

3 (7) in paragraph (11), as so redesignated, by  
4 inserting “and tele-mental health,” after “rural  
5 mental health,”;

6 (8) in paragraph (12), as so redesignated, by  
7 striking “establish a clearinghouse for mental health  
8 information to assure the widespread dissemination  
9 of such information” and inserting “disseminate  
10 mental health information, including evidenced-based  
11 practices,”;

12 (9) in paragraph (15), as so redesignated, by  
13 striking “and” at the end;

14 (10) in paragraph (16), as so redesignated, by  
15 striking the period and inserting “; and”; and

16 (11) by adding at the end the following:

17 “(17) ensure the consistent documentation of  
18 the application of criteria when awarding grants and  
19 the ongoing oversight of grantees after such grants  
20 are awarded.”.

21 **SEC. 107. ADVISORY COUNCILS.**

22 Section 502 of the Public Health Service Act (42  
23 U.S.C. 290aa-1) is amended—

24 (1) in subsection (a)(1), in the matter following  
25 subparagraph (D), by adding at the end the fol-

1       lowing: “Each such advisory council may also rec-  
 2       ommend subjects for evaluation under section 101 of  
 3       the Mental Health Reform Act of 2016 to the As-  
 4       sistant Secretary for Planning and Evaluation”; and

5               (2) in subsection (b)—

6                       (A) in paragraph (2)—

7                               (i) in subparagraph (E), by striking  
 8                       “and” after the semicolon;

9                               (ii) by redesignating subparagraph  
 10                       (F) as subparagraph (J); and

11                              (iii) by inserting after subparagraph  
 12                       (E), the following:

13                       “(F) the Chief Medical Officer, appointed  
 14                       under section 501(g);

15                       “(G) the Director of the National Institute  
 16                       of Mental Health for the advisory councils ap-  
 17                       pointed under subsections (a)(1)(A) and  
 18                       (a)(1)(D);

19                       “(H) the Director of the National Institute  
 20                       on Drug Abuse for the advisory councils ap-  
 21                       pointed under subsections (a)(1)(A), (a)(1)(B),  
 22                       and (a)(1)(C);

23                       “(I) the Director of the National Institute  
 24                       on Alcohol Abuse and Alcoholism for the advi-

1           sory councils appointed under subsections  
 2           (a)(1)(A), (a)(1)(B), and (a)(1)(C); and”; and  
 3           (B) in paragraph (3), by adding at the end  
 4           the following:

5           “(C) Not less than half of the members of  
 6           the advisory council appointed under subsection  
 7           (a)(1)(D)—

8                   “(i) shall have—

9                           “(I) a medical degree;

10                           “(II) a doctoral degree in psy-  
 11                           chology; or

12                           “(III) an advanced degree in  
 13                           nursing or social work from an ac-  
 14                           credited graduate school or be a cer-  
 15                           tified physician assistant; and

16                   “(ii) shall specialize in the mental  
 17                   health field.”.

18 **SEC. 108. PEER REVIEW.**

19           Section 504(b) of the Public Health Service Act (42  
 20           U.S.C. 290aa–3(b)) is amended by adding at the end the  
 21           following: “In the case of any such peer review group that  
 22           is reviewing a grant, cooperative agreement, or contract  
 23           related to mental illness, not less than half of the members  
 24           of such peer review group shall be licensed and experi-  
 25           enced professionals in the prevention, diagnosis, treat-

1 ment, and recovery of mental illness or substance use dis-  
 2 orders and have a medical degree, a doctoral degree in  
 3 psychology, or an advanced degree in nursing or social  
 4 work from an accredited program.”.

5 **SEC. 109. INTER-DEPARTMENTAL SERIOUS MENTAL ILL-**  
 6 **NESS COORDINATING COMMITTEE.**

7 (a) ESTABLISHMENT.—

8 (1) IN GENERAL.—Not later than 3 months  
 9 after the date of enactment of this Act, the Sec-  
 10 retary of Health and Human Services, or the des-  
 11 ignee of the Secretary, shall establish a committee to  
 12 be known as the “Inter-Departmental Serious Men-  
 13 tal Illness Coordinating Committee” (in this section  
 14 referred to as the “Committee”).

15 (2) FEDERAL ADVISORY COMMITTEE ACT.—Ex-  
 16 cept as provided in this section, the provisions of the  
 17 Federal Advisory Committee Act (5 U.S.C. App.)  
 18 shall apply to the Committee.

19 (b) MEETINGS.—The Committee shall meet not fewer  
 20 than 2 times each year.

21 (c) RESPONSIBILITIES.—Not later than 1 year after  
 22 the date of enactment of this Act, and 5 years after such  
 23 date of enactment, the Committee shall submit to Con-  
 24 gress a report including—



1           (1) a summary of advances in serious mental  
2       illness research related to the prevention of, diag-  
3       nosis of, intervention in, and treatment and recovery  
4       of, serious mental illnesses, and advances in access  
5       to services and support for individuals with a serious  
6       mental illness;

7           (2) an evaluation of the impact on public health  
8       of Federal programs related to serious mental ill-  
9       ness, including measurements of public health out-  
10      comes including—

11           (A) rates of suicide, suicide attempts, prev-  
12      alence of serious mental illness and substance  
13      use disorders, overdose, overdose deaths, emer-  
14      gency hospitalizations, emergency room board-  
15      ing, preventable emergency room visits, incar-  
16      ceration, crime, arrest, homelessness, and un-  
17      employment;

18           (B) increased rates of employment and en-  
19      rollment in educational and vocational pro-  
20      grams;

21           (C) quality of mental and substance use  
22      disorder treatment services; or

23           (D) any other criteria as may be deter-  
24      mined by the Secretary; and

1           (3) specific recommendations for actions that  
2           agencies can take to better coordinate the adminis-  
3           tration of mental health services for people with seri-  
4           ous mental illness.

5           (d) COMMITTEE EXTENSION.—Upon the submission  
6           of the second report under subsection (c), the Secretary  
7           shall submit a recommendation to Congress on whether  
8           to extend the operation of the Committee.

9           (e) MEMBERSHIP.—

10           (1) FEDERAL MEMBERS.—The Committee shall  
11           be composed of the following Federal representa-  
12           tives, or their designee—

13                   (A) the Secretary of Health and Human  
14                   Services, who shall serve as the Chair of the  
15                   Committee;

16                   (B) the Administrator of the Substance  
17                   Abuse and Mental Health Services Administra-  
18                   tion;

19                   (C) the Attorney General of the United  
20                   States;

21                   (D) the Secretary of Veterans Affairs;

22                   (E) the Secretary of Defense;

23                   (F) the Secretary of Housing and Urban  
24                   Development;

25                   (G) the Secretary of Education;

1 (H) the Secretary of Labor; and

2 (I) the Commissioner of Social Security.

3 (2) NON-FEDERAL MEMBERS.—The Committee  
4 shall also include not less than 14 non-Federal pub-  
5 lic members appointed by the Secretary of Health  
6 and Human Services, of which—

7 (A) at least 1 member shall be an indi-  
8 vidual who has received treatment for a diag-  
9 nosis of a serious mental illness;

10 (B) at least 1 member shall be a parent or  
11 legal guardian of an individual with a history of  
12 serious mental illness;

13 (C) at least 1 member shall be a represent-  
14 ative of a leading research, advocacy, or service  
15 organization for individuals with serious mental  
16 illnesses;

17 (D) at least 2 members shall be—

18 (i) a licensed psychiatrist with experi-  
19 ence treating serious mental illness;

20 (ii) a licensed psychologist with experi-  
21 ence treating serious mental illness;

22 (iii) a licensed clinical social worker;

23 or

1 (iv) a licensed psychiatric nurse, nurse  
2 practitioner, or physician assistant with ex-  
3 perience treating serious mental illness;

4 (E) at least 1 member shall be a licensed  
5 mental health professional with a specialty in  
6 treating children and adolescents;

7 (F) at least 1 member shall be a mental  
8 health professional who has research or clinical  
9 mental health experience working with minori-  
10 ties;

11 (G) at least 1 member shall be a mental  
12 health professional who has research or clinical  
13 mental health experience working with medi-  
14 cally underserved populations;

15 (H) at least 1 member shall be a State cer-  
16 tified mental health peer specialist;

17 (I) at least 1 member shall be a judge with  
18 experience adjudicating cases related to crimi-  
19 nal justice or serious mental illness; and

20 (J) at least 1 member shall be a law en-  
21 forcement officer or corrections officer with ex-  
22 tensive experience in interfacing with individ-  
23 uals with serious mental illness or in mental  
24 health crisis.

1           (3) TERMS.—A member of the Committee ap-  
2           pointed under subsection (e)(2) shall serve for a  
3           term of 3 years, and may be reappointed for one or  
4           more additional 3-year terms. Any member ap-  
5           pointed to fill a vacancy for an unexpired term shall  
6           be appointed for the remainder of such term. A  
7           member may serve after the expiration of the mem-  
8           ber's term until a successor has been appointed.

9           (f) WORKING GROUPS.—In carrying out its func-  
10          tions, the Committee may establish working groups. Such  
11          working groups shall be composed of Committee members,  
12          or their designees, and may hold such meetings as are nec-  
13          essary.

14          (g) SUNSET.—The Committee shall terminate on the  
15          date that is 6 years after the date on which the Committee  
16          is established under subsection (a)(1).

1 **TITLE II—ENSURING MENTAL**  
 2 **AND SUBSTANCE USE DIS-**  
 3 **ORDER PREVENTION, TREAT-**  
 4 **MENT, AND RECOVERY PRO-**  
 5 **GRAMS KEEP PACE WITH**  
 6 **SCIENCE**

7 **SEC. 201. ENCOURAGING INNOVATION AND EVIDENCE-**  
 8 **BASED PROGRAMS.**

9 Title V of the Public Health Service Act (42 U.S.C.  
 10 290aa et seq.), as amended by title I, is further amended  
 11 by inserting after section 501 (42 U.S.C. 290aa) the fol-  
 12 lowing:

13 **“SEC. 501A. OFFICE OF POLICY, PLANNING, AND INNOVA-**  
 14 **TION.**

15 “(a) IN GENERAL.—There shall be established within  
 16 the Administration an Office of Policy, Planning, and In-  
 17 novation (referred to in this section as the ‘Office’).

18 “(b) RESPONSIBILITIES.—The Office shall—

19 “(1) continue to carry out the authorities that  
 20 were in effect for the Office of Policy, Planning, and  
 21 Innovation as such Office existed prior to the date  
 22 of enactment of the Mental Health Reform Act of  
 23 2016;

24 “(2) identify, coordinate, and facilitate the im-  
 25 plementation of policy changes likely to have a sig-

1       nificant impact on mental and substance use dis-  
2       order services;

3               “(3) collect, as appropriate, information from  
4       grantees under programs operated by the Adminis-  
5       tration in order to evaluate and disseminate infor-  
6       mation on evidence-based practices and service deliv-  
7       ery models;

8               “(4) provide leadership in identifying and co-  
9       ordinating policies and programs related to mental  
10      health and substance use disorders;

11              “(5) in consultation with the Assistant Sec-  
12      retary for Planning and Evaluation, as appropriate,  
13      periodically review programs and activities relating  
14      to the diagnosis or prevention of, or treatment or re-  
15      habilitation for, mental illness and substance use  
16      disorders, including by—

17                      “(A) identifying any such programs or ac-  
18      tivities that are duplicative;

19                      “(B) identifying any such programs or ac-  
20      tivities that are not evidence-based, effective, or  
21      efficient;

22                      “(C) identifying any such programs or ac-  
23      tivities that have proven to be effective or effi-  
24      cient in improving outcomes or increasing ac-  
25      cess to evidence-based programs; and

1           “(D) formulating recommendations for co-  
 2           ordinating, eliminating, or improving programs  
 3           or activities identified under subparagraph (A),  
 4           (B), or (C), and merging such programs or ac-  
 5           tivities into other successful programs or activi-  
 6           ties; and

7           “(6) carry out other activities as deemed nec-  
 8           essary to continue to encourage innovation and dis-  
 9           seminate evidence-based programs and practices.

10          “(c) PROMOTING INNOVATION.—

11           “(1) IN GENERAL.—The Administrator, in co-  
 12           ordination with the Office, may award grants to  
 13           States, local governments, Indian tribes or tribal or-  
 14           ganizations (as such terms are defined in section 4  
 15           of the Indian Self-Determination and Education As-  
 16           sistance Act (25 U.S.C. 450b)), educational institu-  
 17           tions, and nonprofit organizations to develop evi-  
 18           dence-based interventions, including culturally and  
 19           linguistically appropriate services, as appropriate,  
 20           for—

21           “(A) evaluating a model that has been sci-  
 22           entifically demonstrated to show promise, but  
 23           would benefit from further applied development,  
 24           for—



1 “(i) enhancing the prevention, diag-  
 2 nosis, intervention, treatment, and recovery  
 3 of mental illness, serious emotional dis-  
 4 turbance, substance use disorders, and co-  
 5 occurring disorders; or

6 “(ii) integrating or coordinating phys-  
 7 ical health services and mental and sub-  
 8 stance use disorder services; and

9 “(B) expanding, replicating, or scaling evi-  
 10 dence-based programs across a wider area to  
 11 enhance effective screening, early diagnosis,  
 12 intervention, and treatment with respect to  
 13 mental illness, serious mental illness, and seri-  
 14 ous emotional disturbance, primarily by—

15 “(i) applying delivery of care, includ-  
 16 ing training staff in effective evidence-  
 17 based treatment; or

18 “(ii) integrating models of care across  
 19 specialties and jurisdictions.

20 “(2) CONSULTATION.—In awarding grants  
 21 under this paragraph, the Administrator shall, as  
 22 appropriate, consult with the Chief Medical Officer,  
 23 the advisory councils described in section 502, the  
 24 National Institute of Mental Health, the National

1       Institute on Drug Abuse, and the National Institute  
2       on Alcohol Abuse and Alcoholism.

3       “(d) AUTHORIZATION OF APPROPRIATIONS.—To  
4       carry out the activities under subsection (c), there are au-  
5       thorized to be appropriated such sums as may be nec-  
6       essary for each of fiscal years 2017 through 2021.”.

7       **SEC. 202. PROMOTING ACCESS TO INFORMATION ON EVI-**  
8       **DENCE-BASED PROGRAMS AND PRACTICES.**

9       (a) IN GENERAL.—The Administrator of the Sub-  
10      stance Abuse and Mental Health Services Administration  
11      (referred to in this section as the “Administrator”) may  
12      improve access to reliable and valid information on evi-  
13      dence-based programs and practices, including informa-  
14      tion on the strength of evidence associated with such pro-  
15      grams and practices, related to mental and substance use  
16      disorders for States, local communities, nonprofit entities,  
17      and other stakeholders by posting on the website of the  
18      Administration information on evidence-based programs  
19      and practices that have been reviewed by the Adminis-  
20      trator pursuant to the requirements of this section.

21      (b) NOTICE.—In carrying out subsection (a), the Ad-  
22      ministrator may establish a period for the submission of  
23      applications for evidence-based programs and practices to  
24      be posted publicly in accordance with subsection (a). In  
25      establishing such application period, the Administrator

1 shall provide for the public notice of such application pe-  
2 riod in the Federal Register. Such notice may solicit appli-  
3 cations for evidence-based practices and programs to ad-  
4 dress gaps identified by the Assistant Secretary for Plan-  
5 ning and Evaluation of the Department of Health and  
6 Human Services in the evaluation and recommendations  
7 under section 101 or priorities identified in the strategic  
8 plan established under section 501(l) of the Public Health  
9 Service Act (42 U.S.C. 290aa).

10 (c) REQUIREMENTS.—The Administrator may estab-  
11 lish minimum requirements for applications referred to  
12 under this section, including applications related to the  
13 submission of research and evaluation.

14 (d) REVIEW AND RATING.—The Administrator shall  
15 review applications prior to public posting, and may  
16 prioritize the review of applications for evidenced-based  
17 practices and programs that are related to topics included  
18 in the notice established under subsection (b). The Admin-  
19 istrator may utilize a rating and review system, which may  
20 include information on the strength of evidence associated  
21 with such programs and practices and a rating of the  
22 methodological rigor of the research supporting the appli-  
23 cation.

1 **SEC. 203. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL**  
2 **AND NATIONAL SIGNIFICANCE.**

3 Section 520A of the Public Health Service Act (42  
4 U.S.C. 290bb–32) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (4), by inserting before  
7 the period “, that may include technical assist-  
8 ance centers”; and

9 (B) in the flush sentence following para-  
10 graph (4)—

11 (i) by inserting “, contracts,” before  
12 “or cooperative agreements”; and

13 (ii) by striking “Indian tribes and  
14 tribal organizations” and inserting “terri-  
15 tories, Indian tribes or tribal organizations  
16 (as such terms are defined in section 4 of  
17 the Indian Self-Determination and Edu-  
18 cation Assistance Act), health facilities, or  
19 programs operated by or pursuant to a  
20 contract or grant with the Indian Health  
21 Service, or”; and

22 (2) in subsection (f)—

23 (A) in paragraph (1) by striking the para-  
24 graph heading;

25 (B) by striking “\$300,000,000” and all  
26 that follows through “2003” and inserting

1 “such sums as may be necessary for each of fis-  
2 cal years 2017 through 2021”; and

3 (C) by striking paragraph (2).

4 **TITLE III—SUPPORTING STATE**  
5 **RESPONSES TO MENTAL**  
6 **HEALTH AND SUBSTANCE**  
7 **USE DISORDER NEEDS**

8 **SEC. 301. COMMUNITY MENTAL HEALTH SERVICES BLOCK**  
9 **GRANT.**

10 (a) FORMULA GRANTS.—Section 1911(b) of the Pub-  
11 lic Health Service Act (42 U.S.C. 300x(b)) is amended—

12 (1) by redesignating paragraphs (1) through  
13 (3) as paragraphs (2) through (4), respectively; and

14 (2) by inserting before paragraph (2) (as so re-  
15 designated), the following:

16 “(1) providing community mental health serv-  
17 ices for adults with serious mental illness and chil-  
18 dren with serious emotional disturbances as defined  
19 in accordance with section 1912(c);”.

20 (b) STATE PLAN.—Section 1912(b) of the Public  
21 Health Service Act (42 U.S.C. 300x–1(b)) is amended—

22 (1) in paragraph (3), by redesignating subpara-  
23 graphs (A) through (C) as clauses (i) through (iii),  
24 respectively, and realigning the margins accordingly;

1           (2) by redesignating paragraphs (1) through  
 2           (5) as subparagraphs (A) through (E), respectively,  
 3           and realigning the margins accordingly;

4           (3) by striking the matter preceding subpara-  
 5           graph (A) (as so redesignated), and inserting the  
 6           following:

7           “(b) CRITERIA FOR PLAN.—In accordance with sub-  
 8           section (a), a State shall submit to the Secretary a plan  
 9           that, at a minimum, includes the following:

10           “(1) SYSTEM OF CARE.—A description of the  
 11           State’s system of care that contains the following.”;

12           (4) by striking subparagraph (A) (as so redesign-  
 13           ated), and inserting the following:

14           “(A) COMPREHENSIVE COMMUNITY-BASED  
 15           HEALTH SYSTEMS.—The plan shall—

16           “(i) identify the single State agency to  
 17           be responsible for the administration of the  
 18           program under the grant, including any  
 19           third party who administers mental health  
 20           services and is responsible for complying  
 21           with the requirements of this part with re-  
 22           spect to the grant;

23           “(ii) provide for an organized commu-  
 24           nity-based system of care for individuals  
 25           with mental illness and describe available

1 services and resources in a comprehensive  
2 system of care, including services for indi-  
3 viduals with co-occurring disorders;

4 “(iii) include a description of the  
5 manner in which the State and local enti-  
6 ties will coordinate services to maximize  
7 the efficiency, effectiveness, quality, and  
8 cost effectiveness of services and programs  
9 to produce the best possible outcomes (in-  
10 cluding health services, rehabilitation serv-  
11 ices, employment services, housing services,  
12 educational services, substance use dis-  
13 order services, legal services, law enforce-  
14 ment services, social services, child welfare  
15 services, medical and dental care services,  
16 and other support services to be provided  
17 with Federal, State, and local public and  
18 private resources) with other agencies to  
19 enable individuals receiving services to  
20 function outside of inpatient or residential  
21 institutions, to the maximum extent of  
22 their capabilities, including services to be  
23 provided by local school systems under the  
24 Individuals with Disabilities Education  
25 Act;

1 “(iv) include a description of how the  
2 State promotes evidence-based practices,  
3 including those evidence-based programs  
4 that address the needs of individuals with  
5 early serious mental illness regardless of  
6 the age of the individual at onset;

7 “(v) include a description of case  
8 management services;

9 “(vi) include a description of activities  
10 leading to reduction of hospitalization, ar-  
11 rest, incarceration, or suicide, including  
12 through promoting comprehensive, individ-  
13 ualized treatment;

14 “(vii) include a description of activi-  
15 ties that seek to engage individuals with  
16 serious mental illness in making health  
17 care decisions, including activities that en-  
18 hance communication between individuals,  
19 families, and treatment providers;

20 “(viii) include a description of how the  
21 State integrates mental health and primary  
22 health care, which may include providing,  
23 in the case of individuals with co-occurring  
24 mental and substance use disorders, both  
25 mental and substance use disorder services



1 in primary care settings or arrangements  
 2 to provide primary and specialty care serv-  
 3 ices in community-based mental and sub-  
 4 stance use disorder service settings; and

5 “(ix) include a description of how the  
 6 State ensures a smooth transition for chil-  
 7 dren with serious emotion disturbances  
 8 from the children’s service system to the  
 9 adult service system.”;

10 (5) in subparagraph (B) (as so redesignated),  
 11 by striking “to be achieved in the implementation of  
 12 the system described in paragraph (1)” and insert-  
 13 ing “and outcome measures for programs and serv-  
 14 ices provided under this subpart”;

15 (6) in subparagraph (C) (as so redesignated)—

16 (A) by striking “disturbance” in the mat-  
 17 ter preceding clause (i) (as so redesignated) and  
 18 all that follows through “substance abuse serv-  
 19 ices” in clause (i) (as so redesignated) and in-  
 20 serting the following: “disturbance (as defined  
 21 pursuant to subsection (c)), the plan shall pro-  
 22 vide for a system of integrated social services,  
 23 educational services, child welfare services, juve-  
 24 nile justice services, law enforcement services,  
 25 and substance use disorder services”;

1 (B) by striking “Education Act;” and in-  
 2 serting “Education Act.”; and

3 (C) by striking clauses (ii) and (iii) (as so  
 4 redesignated);

5 (7) in subparagraph (D) (as so redesignated),  
 6 by striking “plan described” and inserting “plan  
 7 shall describe”;

8 (8) in subparagraph (E) (as so redesignated)—

9 (A) in the subparagraph heading by strik-  
 10 ing “SYSTEMS” and inserting “SERVICES”;

11 (B) by striking “plan describes” and all  
 12 that follows through “and provides for” and in-  
 13 serting “plan shall describe the financial re-  
 14 sources available, the existing mental health  
 15 workforce, and workforce trained in treating in-  
 16 dividuals with co-occurring mental and sub-  
 17 stance use disorders, and provides for”; and

18 (C) by inserting before the period the fol-  
 19 lowing: “, and the manner in which the State  
 20 intends to comply with each of the funding  
 21 agreements in this subpart and subpart III”;

22 (9) by striking the flush matter at the end; and

23 (10) by adding at the end the following:

24 “(2) GOALS AND OBJECTIVES.—The establish-  
 25 ment of goals and objectives for the period of the

1 plan, including targets and milestones that are in-  
 2 tended to be met, and the activities that will be un-  
 3 dertaken to achieve those targets.”.

4 (c) BEST PRACTICES IN CLINICAL CARE MODELS.—  
 5 Section 1920 of the Public Health Service Act (42 U.S.C.  
 6 300x–9) is amended by adding at the end the following:

7 “(c) BEST PRACTICES IN CLINICAL CARE MOD-  
 8 ELS.—

9 “(1) IN GENERAL.—Except as provided in para-  
 10 graph (2), a State shall expend not less than 5 per-  
 11 cent of the amount the State receives for carrying  
 12 out this section in each fiscal year to support evi-  
 13 dence-based programs that address the needs of in-  
 14 dividuals with early serious mental illness, including  
 15 psychotic disorders, regardless of the age of the indi-  
 16 vidual at onset.

17 “(2) STATE FLEXIBILITY.—In lieu of expending  
 18 5 percent of the amount the State receives under  
 19 this section in a fiscal year as required under para-  
 20 graph (1), a State may elect to expend not less than  
 21 10 percent of such amount in the succeeding fiscal  
 22 year.”.

23 (d) ADDITIONAL PROVISIONS.—Section 1915(b) of  
 24 the Public Health Service Act (42 U.S.C. 300x–4(b)) is  
 25 amended—

1           (1) by redesignating paragraph (1) as subpara-  
2           graph (A), and realigning the margin accordingly;

3           (2) by inserting after the subsection heading  
4           the following:

5           “(1) REQUIREMENT.—”;

6           (3) by inserting after subparagraph (A) (as so  
7           redesignated), the following:

8           “(B) CONDITION.—A State shall be  
9           deemed to be in compliance with subparagraph  
10          (A) for a fiscal year if State expenditures of the  
11          type described in such subparagraph for such  
12          fiscal year are at least 97 percent of the aver-  
13          age of such State expenditures for the pre-  
14          ceding 2-fiscal-year period.”;

15          (4) by redesignating paragraphs (2) through  
16          (4) as paragraphs (3) through (5), respectively;

17          (5) by inserting after paragraph (1), the fol-  
18          lowing:

19          “(2) FUTURE FISCAL YEARS.—Determinations  
20          of whether a State has complied with paragraph (1)  
21          for each fiscal year shall be based on the State fund-  
22          ing level for the preceding 2-fiscal-year period, as re-  
23          quired under paragraph (1)(A), without regard to  
24          reductions in the actual amount of State expendi-

1       tures as permitted under paragraph (1)(B) or under  
2       a waiver under paragraph (4).”;

3           (6) in paragraph (3) (as so redesignated), by  
4       striking “subsection (a)” and inserting “paragraph  
5       (1)”;

6           (7) in paragraph (4) (as so redesignated)—

7                (A) by striking “The Secretary” and in-  
8       serting the following:

9                   “(A) IN GENERAL.—The Secretary”;

10               (B) by striking “paragraph (1) if the Sec-  
11       retary” and inserting the following: “paragraph  
12       (1) in whole or in part, if—

13                       “(i) the Secretary”;

14               (C) by striking “State justify the waiver.”  
15       and inserting “State in the fiscal year involved  
16       or in the previous fiscal year justify the waiver;  
17       or”;

18               (D) by adding at the end the following:

19                       “(ii) the State, or any part of the  
20       State, has experienced a natural disaster  
21       that has received a Presidential Disaster  
22       Declaration under section 102 of the Rob-  
23       ert T. Stafford Disaster Relief Emergency  
24       Assistance Act.

1           “(B) DATE CERTAIN FOR ACTION UPON  
2           REQUEST.—The Secretary shall approve or  
3           deny a request for a waiver under subparagraph  
4           (A) not later than 120 days after the date on  
5           which the request is made.

6           “(C) APPLICABILITY OF WAIVER.—A waiv-  
7           er provided by the Secretary under subpara-  
8           graph (A) shall be applicable only to the fiscal  
9           year involved.”; and  
10          (8) in paragraph (5) (as so redesignated)—

11                 (A) in subparagraph (A)—

12                         (i) by inserting after the subpara-  
13                         graph designation the following: “IN GEN-  
14                         ERAL”; and

15                         (ii) by striking “maintained material  
16                         compliance” and insert “complied”; and

17                 (B) in subparagraph (B), by inserting  
18                 after the subparagraph designation the fol-  
19                 lowing: “SUBMISSION OF INFORMATION TO THE  
20                 SECRETARY”.

21          (e) APPLICATION FOR GRANT.—Section 1917(a) of  
22          the Public Health Service Act (42 U.S.C. 300x-6(a)) is  
23          amended—

24                 (1) in paragraph (1), by striking “1941” and  
25                 inserting “1942(a)”; and

(f) FUNDING.—Section 1920(a) of the Public Health Service Act (42 U.S.C. 300x-9(a)) is amended by striking “\$450,000,000” and all that follows and inserting “such sums as may be necessary for each of fiscal years 2017 through 2021.”.

8 SEC. 302. ADDITIONAL PROVISIONS RELATED TO THE  
9 BLOCK GRANTS.

Subpart III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-51 et seq.) is amended—

(1) in section 1953(b) (42 U.S.C. 300x-63(b)),  
by striking “substance abuse” and inserting “sub-  
stance use disorder”; and

16 (2) by adding at the end the following:

17 “SEC. 1957. PUBLIC HEALTH EMERGENCIES.

18            “In the case of a public health emergency (as defined  
19 in section 319), the Administrator, on a State-by-State  
20 basis, may grant an extension or waive application dead-  
21 lines and compliance with any other requirements of sec-  
22 tions 521, 1911, and 1921, and Public Law 99–319 (42  
23 U.S.C. 10801 et seq.) as the circumstances of such emer-  
24 gency reasonably require and for the period of such public  
25 health emergency.

1 **“SEC. 1958. JOINT APPLICATIONS.**

2       “The Secretary, acting through the Administrator,  
3 shall permit a joint application to be submitted for grants  
4 under subpart I and subpart II upon the request of a  
5 State. Such application may be jointly reviewed and ap-  
6 proved by the Secretary with respect to such subparts,  
7 consistent with the purposes and authorized activities of  
8 each such grant program. A State submitting such a joint  
9 application shall otherwise meet the requirements with re-  
10 spect to each such subpart.”.

11 **SEC. 303. STUDY OF DISTRIBUTION OF FUNDS UNDER THE**  
12                   **SUBSTANCE ABUSE PREVENTION AND TREAT-**  
13                   **MENT BLOCK GRANT AND THE COMMUNITY**  
14                   **MENTAL HEALTH SERVICES BLOCK GRANT.**

15       (a) IN GENERAL.—The Secretary of Health and  
16 Human Services, acting through the Administrator of the  
17 Substance Abuse and Mental Health Services Administra-  
18 tion, shall, directly or through a grant or contract, conduct  
19 a study to examine whether the funds under the substance  
20 abuse prevention and treatment block grant and the com-  
21 munity mental health services block grant under title XIX  
22 of the Public Health Service Act (42 U.S.C. 300w et seq.)  
23 are being distributed to States and territories according  
24 to need, and to recommend changes in such distribution  
25 if necessary. Such study shall include—



1           (1) an analysis of whether the distributions  
2           under such block grants accurately reflect the need  
3           for the services under the grants in such States and  
4           territories;

5           (2) an examination of whether the indices used  
6           under the formulas for distribution of funds under  
7           such block grants are appropriate, and if not, alter-  
8           natives recommended by the Secretary;

9           (3) where recommendations are included under  
10          paragraph (2) for the use of different indices, a de-  
11          scription of the variables and data sources that  
12          should be used to determine the indices;

13          (4) an evaluation of the variables and data  
14          sources that are being used for each of the indices  
15          involved, and whether such variables and data  
16          sources accurately represent the need for services,  
17          the cost of providing services, and the ability of the  
18          States to pay for such services;

19          (5) the impact that the minimum allotment pro-  
20          visions under each such block grant have on each  
21          State's final allotment and its effect, if any, on each  
22          State's formula-based allotment;

23          (6) recommendations for modifications to the  
24          minimum allotment provisions to ensure an appro-  
25          priate distribution of funds; and

1           (7) any other information that the Secretary  
2       determines appropriate.

3       (b) REPORT.—Not later than 24 months after the  
4       date of enactment of this Act, the Secretary of Health and  
5       Human Services shall submit to the Committee on Health,  
6       Education, Labor, and Pensions of the Senate and the  
7       Committee on Energy and Commerce of the House of  
8       Representatives, a report containing the findings and rec-  
9       ommendations of the study conducted under subsection  
10      (a).

11   **TITLE IV—PROMOTING ACCESS**  
12       **TO MENTAL HEALTH AND**  
13       **SUBSTANCE USE DISORDER**  
14       **CARE**

15   **SEC. 401. GRANTS FOR TREATMENT AND RECOVERY FOR**  
16       **HOMELESS INDIVIDUALS.**

17       Section 506 of the Public Health Service Act (42  
18      U.S.C. 290aa-5) is amended—

19           (1) in subsections (a), by striking “substance  
20       abuse” and inserting “substance use disorder”;

21           (2) in subsection (b)—

22               (A) in paragraphs (1) and (3), by striking  
23       “substance abuse” each place the term appears  
24       and inserting “substance use disorder”; and

1 (B) in paragraph (4), by striking “sub-  
 2 stance abuse” and inserting “a substance use  
 3 disorder”;

4 (3) in subsection (c)—

5 (A) in paragraph (1), by striking “sub-  
 6 stance abuse disorder” and inserting “sub-  
 7 stance use disorder”; and

8 (B) in paragraph (2)—

9 (i) in subparagraph (A), by striking  
 10 “substance abuse” and inserting “a sub-  
 11 stance use disorder”; and

12 (ii) in subparagraph (B), by striking  
 13 “substance abuse” and inserting “sub-  
 14 stance use disorder”; and

15 (4) in subsection (e), by striking “,  
 16 \$50,000,000 for fiscal year 2001, and such sums as  
 17 may be necessary for each of the fiscal years 2002  
 18 and 2003” and inserting “such sums as may be nec-  
 19 essary for each of fiscal years 2017 through 2021”.

20 **SEC. 402. GRANTS FOR JAIL DIVERSION PROGRAMS.**

21 Section 520G of the Public Health Service Act (42  
 22 U.S.C. 290bb–38) is amended—

23 (1) by striking “substance abuse” each place  
 24 such term appears and inserting “substance use dis-  
 25 order”;

1 (2) in subsection (a)—

2 (A) by striking “Indian tribes, and tribal  
3 organizations” and inserting “and Indian tribes  
4 and tribal organizations (as such terms are de-  
5 fined in section 4 of the Indian Self-Determina-  
6 tion and Education Assistance Act (25 U.S.C.  
7 450b))”; and

8 (B) by inserting “or a health facility or  
9 program operated by or pursuant to a contract  
10 or grant with the Indian Health Service,” after  
11 “entities,”;

12 (3) in subsection (c)(2)(A)(i), by striking “the  
13 best known” and inserting “evidence-based”; and

14 (4) in subsection (i), by striking “\$10,000,000  
15 for fiscal year 2001, and such sums as may be nec-  
16 essary for fiscal years 2002 through 2003” and in-  
17 serting “such sums as may be necessary for each of  
18 fiscal years 2017 through 2021”.

19 **SEC. 403. PROMOTING INTEGRATION OF PRIMARY AND BE-**  
20 **HAVIORAL HEALTH CARE.**

21 Section 520K of the Public Health Service Act (42  
22 U.S.C. 290bb–42) is amended to read as follows:

23 **“SEC. 520K. INTEGRATION INCENTIVE GRANTS.**

24 **“(a) DEFINITIONS.—**In this section:

1           “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
 2           tity’ means a State, or other appropriate State agen-  
 3           cy, in collaboration with one or more qualified com-  
 4           munity programs as described in section 1913(b)(1).

5           “(2) INTEGRATED CARE.—The term ‘integrated  
 6           care’ means collaboration in merged or transformed  
 7           practices offering mental and physical health serv-  
 8           ices within the same shared practice space in the  
 9           same facility.

10           “(3) SPECIAL POPULATION.—The term ‘special  
 11           population’ means—

12                   “(A) adults with mental illnesses who have  
 13                   co-occurring primary care conditions or chronic  
 14                   diseases;

15                   “(B) adults with serious mental illnesses  
 16                   who have co-occurring primary care conditions  
 17                   or chronic diseases;

18                   “(C) children and adolescents with serious  
 19                   emotional disturbance with co-occurring pri-  
 20                   mary care conditions or chronic diseases; or

21                   “(D) individuals with substance use dis-  
 22                   orders.

23           “(b) GRANTS.—

24                   “(1) IN GENERAL.—The Secretary may award  
 25                   grants and cooperative agreements to eligible entities

1 to support the improvement of integrated care for  
2 primary care and behavioral health care in accord-  
3 ance with paragraph (2).

4 “(2) PURPOSES.—Grants and cooperative  
5 agreements awarded under this section shall be de-  
6 signed to—

7 “(A) promote full collaboration in clinical  
8 practices between primary and behavioral  
9 health care;

10 “(B) support the improvement of inte-  
11 grated care models for primary care and behav-  
12 ioral health care to improve the overall wellness  
13 and physical health status of individuals with  
14 serious mental illness or serious emotional dis-  
15 turbance; and

16 “(C) promote integrated care services re-  
17 lated to screening, diagnosis, and treatment of  
18 mental illness and co-occurring primary care  
19 conditions and chronic diseases.

20 “(c) APPLICATIONS.—

21 “(1) IN GENERAL.—An eligible entity desiring a  
22 grant or cooperative agreement under this section  
23 shall submit an application to the Secretary at such  
24 time, in such manner, and accompanied by such in-

1       formation as the Secretary may require, including  
2       the contents described in paragraph (2).

3           “(2) CONTENTS.—The contents described in  
4       this paragraph are—

5           “(A) a description of a plan to achieve  
6       fully collaborative agreements to provide serv-  
7       ices to special populations;

8           “(B) a document that summarizes the poli-  
9       cies, if any, that serve as barriers to the provi-  
10      sion of integrated care, and the specific steps,  
11      if applicable, that will be taken to address such  
12      barriers;

13          “(C) a description of partnerships or other  
14      arrangements with local health care providers  
15      to provide services to special populations;

16          “(D) an agreement and plan to report per-  
17      formance measures necessary to evaluate pa-  
18      tient outcomes and to facilitate evaluations  
19      across participating projects to the Secretary;  
20      and

21          “(E) a plan for sustainability beyond the  
22      grant or cooperative agreement period under  
23      subsection (e).

24          “(d) GRANT AMOUNTS.—The maximum amount that  
25      an eligible entity may receive for a year through a grant

1 or cooperative agreement under this section shall be  
2 \$2,000,000. In the case of a recipient of funding under  
3 this section that is a State, not more than 10 percent of  
4 funds awarded under this section may be allocated to  
5 State administrative functions, and the remaining  
6 amounts shall be allocated to health facilities that provide  
7 integrated care.

8 “(e) DURATION.—A grant or cooperative agreement  
9 under this section shall be for a period not to exceed 5  
10 years.

11 “(f) REPORT ON PROGRAM OUTCOMES.—An eligible  
12 entity receiving a grant or cooperative agreement under  
13 this section shall submit an annual report to the Secretary  
14 that includes—

15 “(1) the progress to reduce barriers to inte-  
16 grated care as described in the entity’s application  
17 under subsection (c); and

18 “(2) a description of functional outcomes of  
19 special populations, including—

20 “(A) with respect to individuals with seri-  
21 ous mental illness, participation in supportive  
22 housing or independent living programs, attend-  
23 ance in social and rehabilitative programs, par-  
24 ticipation in job training opportunities, satisfac-  
25 tory performance in work settings, attendance



1 at scheduled medical and mental health ap-  
 2 pointments, and compliance with prescribed  
 3 medication regimes;

4 “(B) with respect to individuals with co-oc-  
 5 ccurring mental illness and primary care condi-  
 6 tions and chronic diseases, attendance at sched-  
 7 uled medical and mental health appointments,  
 8 compliance with prescribed medication regimes,  
 9 and participation in learning opportunities re-  
 10 lated to improved health and lifestyle practices;  
 11 and

12 “(C) with respect to children and adoles-  
 13 cents with serious emotional disorders who have  
 14 co-occurring primary care conditions and chron-  
 15 ic diseases, attendance at scheduled medical  
 16 and mental health appointments, compliance  
 17 with prescribed medication regimes, and partici-  
 18 pation in learning opportunities at school and  
 19 extracurricular activities.

20 “(g) TECHNICAL ASSISTANCE FOR PRIMARY-BEHAV-  
 21 IORAL HEALTH CARE INTEGRATION.—

22 “(1) IN GENERAL.—The Secretary may provide  
 23 appropriate information, training, and technical as-  
 24 sistance to eligible entities that receive a grant or  
 25 cooperative agreement under this section, in order to

1 help such entities meet the requirements of this sec-  
2 tion, including assistance with—

3 “(A) development and selection of inte-  
4 grated care models;

5 “(B) dissemination of evidence-based inter-  
6 ventions in integrated care;

7 “(C) establishment of organizational prac-  
8 tices to support operational and administrative  
9 success; and

10 “(D) other activities, as the Secretary de-  
11 termines appropriate.

12 “(2) ADDITIONAL DISSEMINATION OF TECH-  
13 NICAL INFORMATION.—The information and re-  
14 sources provided by the Secretary under paragraph  
15 (1) shall, as appropriate, be made available to  
16 States, political subdivisions of States, Indian tribes  
17 or tribal organizations (as defined in section 4 of the  
18 Indian Self-Determination and Education Assistance  
19 Act), outpatient mental health and addiction treat-  
20 ment centers, community mental health centers that  
21 meet the criteria under section 1913(c), certified  
22 community behavioral health clinics described in sec-  
23 tion 223 of the Protecting Access to Medicare Act  
24 of 2014 (42 U.S.C. 1396a note), primary care orga-  
25 nizations such as Federally qualified health centers

1 or rural health clinics as defined in section 1861(aa)  
 2 of the Social Security Act (42 U.S.C. 1395x(aa)),  
 3 other community-based organizations, or other enti-  
 4 ties engaging in integrated care activities, as the  
 5 Secretary determines appropriate.

6 “(h) AUTHORIZATION OF APPROPRIATIONS.—To  
 7 carry out this section, there are authorized to be appro-  
 8 priated such sums as may be necessary for each of fiscal  
 9 years 2017 through 2021.”.

10 **SEC. 404. PROJECTS FOR ASSISTANCE IN TRANSITION**  
 11 **FROM HOMELESSNESS.**

12 (a) FORMULA GRANTS TO STATES.—Section 521 of  
 13 the Public Health Service Act (42 U.S.C. 290cc–21) is  
 14 amended by striking “each of the fiscal years 1991  
 15 through 1994” and inserting “fiscal year 2017 and each  
 16 subsequent fiscal year”.

17 (b) PURPOSE OF GRANTS.—Section 522 of the Public  
 18 Health Service Act (42 U.S.C. 290cc–22) is amended—

19 (1) in subsection (a)(1)(B), by striking “sub-  
 20 stance abuse” and inserting “a substance use dis-  
 21 order”;

22 (2) in subsection (b)(6), by striking “substance  
 23 abuse” and inserting “substance use disorder”;

24 (3) in subsection (c), by striking “substance  
 25 abuse” and inserting “a substance use disorder”;

1 (4) in subsection (e)—

2 (A) in paragraph (1), by striking “sub-  
3 stance abuse” and inserting “a substance use  
4 disorder”; and

5 (B) in paragraph (2), by striking “sub-  
6 stance abuse” and inserting “substance use dis-  
7 order”; and

8 (5) in subsection (h), by striking “substance  
9 abuse” each place such term appears and inserting  
10 “substance use disorder”.

11 (c) DESCRIPTION OF INTENDED EXPENDITURES OF  
12 GRANT.—Section 527 of the Public Health Service Act  
13 (42 U.S.C. 290cc–27) is amended by striking “substance  
14 abuse” each place such term appears and inserting “sub-  
15 stance use disorder”.

16 (d) TECHNICAL ASSISTANCE.—Section 530 of the  
17 Public Health Service Act (42 U.S.C. 290cc–30) is amend-  
18 ed by striking “through the National Institute of Mental  
19 Health, the National Institute of Alcohol Abuse and Alco-  
20 holism, and the National Institute on Drug Abuse” and  
21 inserting “acting through the Administrator”.

22 (e) DEFINITIONS.—Section 534(4) of the Public  
23 Health Service Act (42 U.S.C. 290cc–34(4)) is amended  
24 to read as follows:

1 “(4) SUBSTANCE USE DISORDER SERVICES.—

2 The term ‘substance use disorder services’ has the  
3 meaning given the term ‘substance abuse services’ in  
4 section 330(h)(5)(C).”.

5 (f) FUNDING.—Section 535(a) of the Public Health  
6 Service Act (42 U.S.C. 290cc–35(a)) is amended by strik-  
7 ing “\$75,000,000 for each of the fiscal years 2001  
8 through 2003” and inserting “such sums as may be nec-  
9 essary for each of fiscal years 2017 through 2021”.

10 (g) STUDY CONCERNING FORMULA.—

11 (1) IN GENERAL.—Not later than 1 year after  
12 the date of enactment of this Act, the Administrator  
13 of the Substance Abuse and Mental Health Services  
14 Administration (referred to in this section as the  
15 “Administrator”) shall conduct a study concerning  
16 the formula used under section 524(a) of the Public  
17 Health Service Act (42 U.S.C. 290cc–24(a)) for  
18 making allotments to States under section 521 of  
19 such Act (42 U.S.C. 290cc–21). Such study shall in-  
20 clude an evaluation of quality indicators of need for  
21 purposes of revising the formula for determining the  
22 amount of each allotment for the fiscal years fol-  
23 lowing the submission of the study.

24 (2) REPORT.—The Administrator shall submit  
25 to the appropriate committees of Congress a report

1 concerning the results of the study conducted under  
2 paragraph (1).

3 **SEC. 405. NATIONAL SUICIDE PREVENTION LIFELINE PRO-**  
4 **GRAM.**

5 Subpart 3 of part B of title V of the Public Health  
6 Service Act (42 U.S.C. 290bb–31 et seq.) is amended by  
7 inserting after section 520E–2 (42 U.S.C. 290bb–36) the  
8 following:

9 **“SEC. 520E–3. NATIONAL SUICIDE PREVENTION LIFELINE**  
10 **PROGRAM.**

11 “(a) IN GENERAL.—The Secretary, acting through  
12 the Administrator, shall maintain the National Suicide  
13 Prevention Lifeline program (referred to in this section  
14 as the ‘program’), authorized under section 520A and in  
15 effect prior to the date of enactment of the Mental Health  
16 Reform Act of 2016.

17 “(b) ACTIVITIES.—In maintaining the program, the  
18 activities of the Secretary shall include—

19 “(1) coordinating a network of crisis centers  
20 across the United States for providing suicide pre-  
21 vention and crisis intervention services to individuals  
22 seeking help at any time, day or night;

23 “(2) maintaining a suicide prevention hotline to  
24 link callers to local emergency, mental health, and  
25 social services resources; and

1           “(3) consulting with the Secretary of Veterans  
2       Affairs to ensure that veterans calling the suicide  
3       prevention hotline have access to a specialized vet-  
4       erans’ suicide prevention hotline.

5       “(c) AUTHORIZATION OF APPROPRIATIONS.—To  
6       carry out this section, there are authorized to be appro-  
7       priated such sums as may be necessary for each of fiscal  
8       years 2017 through 2021.”.

9       **SEC. 406. CONNECTING INDIVIDUALS AND FAMILIES WITH**  
10                               **CARE.**

11       Subpart 3 of part B of title V of the Public Health  
12       Service Act (42 U.S.C. 290bb–31 et seq.), as amended by  
13       section 405, is further amended by inserting after section  
14       520E–3, the following:

15       **“SEC. 520E–4. TREATMENT REFERRAL ROUTING SERVICE.**

16       “(a) IN GENERAL.—The Secretary, acting through  
17       the Administrator, shall maintain the National Treatment  
18       Referral Routing Service (referred to in this section as the  
19       ‘Routing Service’) to assist individuals and families in lo-  
20       cating mental and substance use disorder treatment pro-  
21       viders.

22       “(b) ACTIVITIES OF THE SECRETARY.—To maintain  
23       the Routing Service, the activities of the Secretary shall  
24       include administering—

1           “(1) a nationwide, telephone number providing  
 2           year-round access to information that is updated on  
 3           a regular basis regarding local behavioral health pro-  
 4           viders and community-based organizations in a man-  
 5           ner that is confidential, without requiring individuals  
 6           to identify themselves, is in languages that include  
 7           at least English and Spanish, and is at no cost to  
 8           the individual using the Routing Service; and

9           “(2) an Internet website to provide a search-  
 10          able, online treatment services locator that includes  
 11          information on the name, location, contact informa-  
 12          tion, and basic services provided for behavioral  
 13          health treatment providers and community-based or-  
 14          ganizations.

15          “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
 16          tion shall be construed to prevent the Administrator from  
 17          using any unobligated amounts otherwise made available  
 18          to the Substance Abuse and Mental Health Services Ad-  
 19          ministration to maintain the Routing Service.”.

20       **SEC. 407. STREAMLINING MENTAL AND BEHAVIORAL**  
 21               **HEALTH WORKFORCE PROGRAMS.**

22          (a) IN GENERAL.—Part D of title VII of the Public  
 23          Health Service Act (42 U.S.C. 294 et seq.) is amended—

24               (1) by striking sections 755 (42 U.S.C. 294e)  
 25               and 756 (42 U.S.C. 294e–1);



1           (2) by redesignating sections 757 and 759 as  
2       sections 756 and 757, respectively; and

3           (3) by inserting after section 754 the following:

4       **“SEC. 755. MENTAL AND BEHAVIORAL HEALTH EDUCATION**  
5               **AND TRAINING GRANTS.**

6       “(a) GRANTS AUTHORIZED.—The Secretary may  
7       award grants to eligible institutions of higher education  
8       to support the recruitment of students for, and education  
9       and clinical experience of the students in—

10           “(1) accredited institutions of higher education  
11       or accredited professional training programs that are  
12       establishing or expanding internships or other field  
13       placement programs in mental health in psychiatry,  
14       psychology, school psychology, behavioral pediatrics,  
15       psychiatric nursing, social work, school social work,  
16       substance use disorder prevention and treatment,  
17       marriage and family therapy, occupational therapy,  
18       school counseling, or professional counseling, includ-  
19       ing such internships or programs with a focus on  
20       child and adolescent mental health and transitional-  
21       age youth;

22           “(2) accredited doctoral, internship, and post-  
23       doctoral residency programs of health service psy-  
24       chology, including clinical psychology, counseling,  
25       and school psychology, for the development and im-

1       plementation of interdisciplinary training of psy-  
 2       chology graduate students for providing behavioral  
 3       and mental health services, including substance use  
 4       disorder prevention and treatment services, and the  
 5       development of faculty in health service psychology;

6           “(3) accredited master’s and doctoral degree  
 7       programs of social work for the development and im-  
 8       plementation of interdisciplinary training of social  
 9       work graduate students for providing behavioral and  
 10      mental health services, including substance use dis-  
 11      order prevention and treatment services, and the de-  
 12      velopment of faculty in social work; or

13          “(4) State-licensed mental health nonprofit and  
 14      for-profit organizations to enable such organizations  
 15      to pay for programs for preservice or in-service  
 16      training in a behavioral health-related paraprofes-  
 17      sional field with preference for preservice or in-serv-  
 18      ice training of paraprofessional child and adolescent  
 19      mental health workers.

20          “(b) ELIGIBILITY REQUIREMENTS.—To be eligible  
 21      for a grant under this section, an institution of higher edu-  
 22      cation shall demonstrate—

23           “(1) an ability to recruit and place the students  
 24      described in subsection (a) in areas with a high need  
 25      and high demand population;

1           “(2) that individuals and groups from different  
2       racial, ethnic, cultural, geographic, religious, lin-  
3       guistic, and class backgrounds, and different genders  
4       and sexual orientations, participate in the programs  
5       of the institution;

6           “(3) knowledge and understanding of the con-  
7       cerns of the individuals and groups described in  
8       paragraph (2), especially individuals with mental  
9       health symptoms or diagnoses, particularly children  
10      and adolescents, and transitional-age youth;

11          “(4) that any internship or other field place-  
12      ment program assisted through the grant will  
13      prioritize cultural and linguistic competency; and

14          “(5) that the institution of higher education will  
15      provide to the Secretary such data, assurances, and  
16      information as the Secretary may require.

17      “(c) INSTITUTIONAL REQUIREMENT.—For grants  
18      awarded under paragraphs (2) and (3) of subsection (a),  
19      at least 4 of the grant recipients shall be historically black  
20      colleges or universities or other minority-serving institu-  
21      tions.

22      “(d) PRIORITY.—In selecting grant recipients, the  
23      Secretary shall give priority to—

24          “(1) for grants awarded under paragraphs (1),  
25      (2), and (3) of subsection (a), programs that have

1       demonstrated the ability to train psychology and so-  
 2       cial work professionals to work in integrated care  
 3       settings; and

4               “(2) for a grant under subsection (a)(4), pro-  
 5       grams for paraprofessionals that emphasize the role  
 6       of the family and the lived experience of the con-  
 7       sumer and family-paraprofessional partnerships.

8       “(e) REPORT TO CONGRESS.—Not later than 2 years  
 9       after the date of enactment of the Mental Health Reform  
 10      Act of 2016, and annually thereafter, the Secretary shall  
 11      submit to Congress a report on the effectiveness of the  
 12      grants under this section in—

13              “(1) providing graduate students support for  
 14      experiential training (internship or field placement);

15              “(2) recruiting of students interested in behav-  
 16      ioral health practice;

17              “(3) developing and implementing interprofes-  
 18      sional training and integration within primary care;

19              “(4) developing and implementing accredited  
 20      field placements and internships; and

21              “(5) collecting data on the number of students  
 22      trained in mental health and the number of available  
 23      accredited internships and field placements.

24       “(f) AUTHORIZATION OF APPROPRIATION.—There  
 25      are authorized to be appropriated to carry out this section

1 such sums as may be necessary for each of fiscal years  
 2 2017 through 2021.”.

3 (b) CONFORMING AMENDMENTS.—The Public  
 4 Health Service Act (42 U.S.C. 201 et seq.), as amended  
 5 by subsection (a), is further amended—

6 (1) in section 338A(d)(2)(A) (42 U.S.C.  
 7 254l(d)(2)(A)), by striking “or under section 758”;

8 (2) in section 756(b)(2) (42 U.S.C. 794f(b)(2)),  
 9 as redesignated by subsection (a), by striking  
 10 “753(b), and 755(b)” and inserting “and 753(b)”;  
 11 and

12 (3) in section 761 (42 U.S.C. 294n)—

13 (A) in subsection (b)(2)(E), by striking  
 14 “757(d)(3)” and inserting “756(d)(3)”;

15 (B) in subsection (d)(2)(B), by striking  
 16 “757(d)(3)” and inserting “756(d)(3)”; and

17 (C) in subsection (d)(3), by striking  
 18 “757(d)(4)” and inserting “756(d)(4)”.

19 **SEC. 408. REPORTS.**

20 (a) REPORT ON MENTAL HEALTH AND SUBSTANCE  
 21 USE TREATMENT IN STATES.—

22 (1) IN GENERAL.—Not later than 18 months  
 23 after the date of enactment of this Act, and not less  
 24 than every 2 years thereafter, the Assistant Sec-  
 25 retary for Planning and Evaluation of the Depart-

1       ment of Health and Human Services, in collabora-  
2       tion with the Administrator of the Substance Abuse  
3       and Mental Health Services Administration, the Di-  
4       rector of the Agency for Healthcare Research and  
5       Quality, and the Director of the National Institutes  
6       of Health, shall submit to Congress and make avail-  
7       able on the Internet website of the Department a re-  
8       port on mental and substance use disorder treatment  
9       in the States, including each of the following:

10               (A) A detailed description on how Federal  
11               mental and substance use disorder treatment  
12               funds are used in each State, including—

13                       (i) the numbers of individuals with  
14                       mental illness, serious mental illness, seri-  
15                       ous emotional disturbance, substance use  
16                       disorders, or co-occurring disorders who  
17                       are served using Federal funds; and

18                       (ii) the types of Federal programs  
19                       made available to individuals with mental  
20                       illness, serious mental illness, serious emo-  
21                       tional disturbance, substance use disorders,  
22                       or co-occurring disorders.

23               (B) A summary of best practices or evi-  
24               dence-based models in the States, including pro-  
25               grams that are cost-effective, provide evidence-

based care, increase access to care, integrate physical, psychiatric, psychological, and behavioral medicine, and improve outcomes for individuals with serious mental illness, serious emotional disturbance, or substance use disorders.

(C) An analysis of outcome measures in each State for individuals with mental illness, serious mental illness, serious emotional disturbance, substance use disorders, or co-occurring disorders, including rates of suicide, suicide attempts, substance abuse, overdose, overdose deaths, positive health outcomes, emergency psychiatric hospitalizations and emergency room boarding, arrests, incarcerations, homelessness, joblessness, employment, and enrollment in educational or vocational programs.

(D) An analysis of outcomes for different models of outpatient treatment programs for individuals with a serious mental illness or serious emotional disturbance, including—

(i) rates of keeping treatment appointments and adherence to treatment plans;

(ii) participants' perceived effectiveness of the program;

- 1 (iii) alcohol and drug abuse rates;
- 2 (iv) incarceration and arrest rates;
- 3 (v) violence against persons or prop-
- 4 erty;
- 5 (vi) homelessness;
- 6 (vii) total treatment costs for compli-
- 7 ance with the program; and
- 8 (viii) health outcomes.

9 (2) DEFINITION.—In this subsection, the term  
 10 “emergency room boarding” means the practice of  
 11 admitting patients to an emergency department and  
 12 holding such patients in the emergency department  
 13 until inpatient psychiatric beds become available.

14 (b) REPORTING COMPLIANCE STUDY FOR COMMU-  
 15 NITY MENTAL HEALTH CENTERS.—

16 (1) IN GENERAL.—The Comptroller General of  
 17 the United States shall conduct a review and submit  
 18 to the appropriate committees of Congress a report  
 19 evaluating the combined paperwork burden of—

20 (A) community mental health centers  
 21 meeting the criteria specified in section 1913(c)  
 22 of the Public Health Service Act (42 U.S.C.  
 23 300x–2(c)), including such centers meeting  
 24 such criteria as in effect on the day before the  
 25 date of enactment of this Act; and



1 (B) community mental health centers, as  
 2 defined in section 1861(ff)(3)(B) of the Social  
 3 Security Act (42 U.S.C. 1395x(ff)(3)(B)).

4 (2) SCOPE.—In preparing the report under  
 5 paragraph (1), the Comptroller General of the  
 6 United States shall examine requirements for licens-  
 7 ing, certification, service definitions, claims pay-  
 8 ments, billing codes, and financial auditing that  
 9 are—

10 (A) used by the Office of Management and  
 11 Budget, the Centers for Medicare & Medicaid  
 12 Services, the Health Resources and Services  
 13 Administration, the Substance Abuse and Men-  
 14 tal Health Services Administration, the Office  
 15 of the Inspector General of the Department of  
 16 Health and Human Services, and State Med-  
 17 icaid agencies; and

18 (B) required by the Federal Government  
 19 for State agencies to utilize in order to make  
 20 administrative and statutory recommendations  
 21 to Congress (which recommendations may in-  
 22 clude a uniform methodology) to reduce the pa-  
 23 perwork burden experienced by the centers de-  
 24 scribed in paragraph (1).

25 (c) WORKFORCE DEVELOPMENT REPORT.—

(1) PUBLIC REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Substance Abuse and Mental Health Services Administration, in consultation with the Administrator of the Health Resources and Services Administration, shall conduct a study and publicly post on the appropriate Internet website of the Department of Health and Human Services a report on the mental health and substance use disorder workforce in order to inform Federal, State, and local efforts related to workforce enhancement.

(B) CONTENTS.—The report under this paragraph shall contain—

(i) national and State-level projections of the supply and demand of mental health and substance use disorder health workers;

(ii) an assessment of the mental health and substance use disorder workforce capacity, strengths, and weaknesses as of the date of the report;

(iii) information on trends within the mental health and substance use disorder provider workforce; and

1 (iv) any additional information deter-  
2 mined by the Administrator of the Sub-  
3 stance Abuse and Mental Health Services  
4 Administration, in consultation with the  
5 Administrator of the Health Resources and  
6 Services Administration, to be relevant to  
7 the mental health and substance use dis-  
8 order provider workforce.

9 (2) REPORT TO CONGRESS.—

10 (A) IN GENERAL.—Not later than 3 years  
11 after the date of enactment of this Act, the Ad-  
12 ministrator of the Substance Abuse and Mental  
13 Health Services Administration, in consultation  
14 with the Administrator of the Health Resources  
15 and Services Administration, shall evaluate and  
16 report to the Committee on Health, Education,  
17 Labor, and Pensions of the Senate and the  
18 Committee on Energy and Commerce of the  
19 House of Representatives on the programs  
20 within such Administrations to support the de-  
21 velopment of the mental health and substance  
22 use disorder workforce.

23 (B) CONTENTS.—The report under this  
24 paragraph shall include—

1 (i) an evaluation of the outcomes of  
2 each program described in subparagraph  
3 (A), including whether the program met  
4 identified goals and performance measures  
5 developed for the respective program and  
6 activities carried out by the program;

7 (ii) an evaluation of how each pro-  
8 gram, and the programs together, target  
9 any workforce weaknesses identified by the  
10 report under paragraph (1); and

11 (iii) recommendations for improving  
12 coordination among programs, and ad-  
13 dressing gaps and overlap within pro-  
14 grams, including recommendations for  
15 Congress, as appropriate.

16 (d) PEER-SUPPORT SPECIALIST PROGRAMS.—

17 (1) IN GENERAL.—Not later than 2 years after  
18 the date of enactment of this Act, the Comptroller  
19 General of the United States shall conduct a study  
20 on peer-support specialist programs in selected  
21 States that receive funding from the Substance  
22 Abuse and Mental Health Services Administration  
23 and report to the Committee on Health, Education,  
24 Labor, and Pensions of the Senate and the Com-

1        mittee on Energy and Commerce of the House of  
2        Representatives.

3            (2) CONTENTS OF STUDY.—In conducting the  
4        study under paragraph (1), the Comptroller General  
5        of the United States shall examine and identify best  
6        practices in the selected States related to training  
7        and credential requirements for peer-specialist pro-  
8        grams, such as—

9            (A) hours of formal work or volunteer ex-  
10        perience related to mental and substance use  
11        disorders conducted through such programs;

12           (B) types of peer support specialist exams  
13        required for such programs in the States;

14           (C) codes of ethics used by such programs  
15        in the States;

16           (D) required or recommended skill sets of  
17        such programs in the State; and

18           (E) requirements for continuing education.

19    **SEC. 409. CENTERS AND PROGRAM REPEALS.**

20        Part B of title V of the Public Health Service Act  
21        (42 U.S.C. 290bb et seq.) is amended by striking the sec-  
22        ond section 514 (42 U.S.C. 290bb–9), relating to meth-  
23        amphetamine and amphetamine treatment initiatives, and  
24        sections 514A, 517, 519A, 519C, 519E, 520D, and 520H

1 (42 U.S.C. 290bb–8, 290bb–23, 290bb–25a, 290bb–25e,  
 2 290bb–25e, 290bb–35, and 290bb–39).

3 **TITLE V—STRENGTHENING MEN-**  
 4 **TAL AND SUBSTANCE USE**  
 5 **DISORDER CARE FOR CHIL-**  
 6 **DREN AND ADOLESCENTS**

7 **SEC. 501. PROGRAMS FOR CHILDREN WITH SERIOUS EMO-**  
 8 **TIONAL DISTURBANCES.**

9 (a) COMPREHENSIVE COMMUNITY MENTAL HEALTH  
 10 SERVICES FOR CHILDREN WITH SERIOUS EMOTIONAL  
 11 DISTURBANCES.—Section 561(a)(1) of the Public Health  
 12 Service Act (42 U.S.C. 290ff(a)(1)) is amended by insert-  
 13 ing “, which may include efforts to identify and serve chil-  
 14 dren at risk” before the period.

15 (b) REQUIREMENTS WITH RESPECT TO CARRYING  
 16 OUT PURPOSE OF GRANTS.—Section 562(b) of the Public  
 17 Health Service Act (42 U.S.C. 290ff–1(b)) is amended by  
 18 striking “will not provide an individual with access to the  
 19 system if the individual is more than 21 years of age”  
 20 and inserting “will provide an individual with access to  
 21 the system through the age of 21 years”.

22 (c) ADDITIONAL PROVISIONS.—Section 564(f) of the  
 23 Public Health Service Act (42 U.S.C. 290ff–3(f)) is  
 24 amended by inserting “(and provide a copy to the State  
 25 involved)” after “to the Secretary”.

1 (d) GENERAL PROVISIONS.—Section 565 of the Pub-  
 2 lic Health Service Act (42 U.S.C. 290ff–4) is amended—

3 (1) in subsection (b)(1)—

4 (A) in the matter preceding subparagraph  
 5 (A), by striking “receiving a grant under sec-  
 6 tion 561(a)” and inserting “, regardless of  
 7 whether such public entity is receiving a grant  
 8 under section 561(a)”; and

9 (B) in subparagraph (B), by striking “pur-  
 10 suant to” and inserting “described in”;

11 (2) in subsection (d)(1), by striking “not more  
 12 than 21 years of age” and inserting “through the  
 13 age of 21 years”; and

14 (3) in subsection (f)(1), by striking  
 15 “\$100,000,000 for fiscal year 2001, and such sums  
 16 as may be necessary for each of the fiscal years  
 17 2002 and 2003” and inserting “such sums as may  
 18 be necessary for each of fiscal years 2017 through  
 19 2021”.

20 **SEC. 502. TELEHEALTH CHILD PSYCHIATRY ACCESS**  
 21 **GRANTS.**

22 (a) DEFINITIONS.—In this subsection:

23 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
 24 ty” means a State, political subdivision of a State,  
 25 Indian tribe, or tribal organization.

1           (2) INDIAN TRIBE; TRIBAL ORGANIZATION.—

2           The terms “Indian tribe” and “tribal organization”  
3           have the meanings given such terms in section 4 of  
4           the Indian Self-Determination and Education Assist-  
5           ance Act (25 U.S.C. 450b).

6           (3) PEDIATRIC MENTAL HEALTH TEAMS.—The

7           term “pediatric mental health team” means a team  
8           of case coordinators, child and adolescent psychia-  
9           trists, and a licensed clinical mental health profes-  
10          sional, such as a psychologist, social worker, or men-  
11          tal health counselor. Such a team may be regionally  
12          based, provided there is access to a pediatric mental  
13          health team across the State.

14          (4) SECRETARY.—The term “Secretary” means  
15          the Secretary of Health and Human Services.

16          (b) GRANTS.—The Secretary, acting through the Ad-  
17          ministrator of the Health Resources and Services Admin-  
18          istration, may award grants to eligible entities that satisfy  
19          all requirements under this section to promote behavioral  
20          health integration in pediatric primary care by—

21               (1) supporting the development of statewide or  
22               regional child psychiatry access programs; and

23               (2) supporting the improvement of statewide or  
24               regional child psychiatry access programs in exist-



1       ence on the day before the date of enactment of this  
2       Act.

3       (c) CHILD PSYCHIATRY ACCESS PROGRAM REQUIRE-  
4       MENTS.—To be eligible for support under subsection (b),  
5       a child psychiatry access program shall—

6               (1) be a statewide or regional network of pedi-  
7       atric mental health teams that provide support to  
8       pediatric primary care sites as an integrated team;

9               (2) support and further develop organized State  
10      networks of child and adolescent psychiatrists to  
11      provide consultative support to pediatric primary  
12      care sites;

13              (3) conduct an assessment of critical behavioral  
14      consultation needs among pediatric providers and  
15      such providers' preferred mechanisms for receiving  
16      consultation, training, and technical assistance;

17              (4) develop an online database and communica-  
18      tion mechanisms, including through telehealth serv-  
19      ices, to facilitate consultation support to pediatric  
20      practices;

21              (5) provide rapid statewide or regional clinical  
22      telephone consultations when requested between the  
23      pediatric mental health teams and pediatric primary  
24      care providers;

1           (6) conduct training and provide technical as-  
2           sistance to pediatric primary care providers to sup-  
3           port the early identification, diagnosis, treatment,  
4           and referral of children with behavioral health condi-  
5           tions;

6           (7) inform and assist pediatric providers in ac-  
7           cessing child psychiatry consultations and in sched-  
8           uling and conducting technical assistance;

9           (8) assist with referrals to specialty care and  
10          community and behavioral health resources; and

11          (9) establish mechanisms for measuring and  
12          monitoring increased access to child and adolescent  
13          psychiatric services by pediatric primary care pro-  
14          viders and expanded capacity of pediatric primary  
15          care providers to identify, treat, and refer children  
16          with mental health problems.

17          (d) APPLICATION.—An eligible entity that desires a  
18          grant under this section shall submit an application to the  
19          Secretary at such time, in such manner, and containing  
20          such information as the Secretary may require, including  
21          a plan for the comprehensive evaluation and the perform-  
22          ance and outcome evaluation described in subsection (e).

23          (e) EVALUATION.—An eligible entity that receives a  
24          grant under this section shall prepare and submit an eval-  
25          uation to the Secretary at such time, in such manner, and

1 containing such information as the Secretary may reason-  
2 ably require, including a comprehensive evaluation of ac-  
3 tivities carried out with funds received through such grant  
4 and a performance and outcome evaluation of such activi-  
5 ties.

6 (f) FUNDING.—

7 (1) FEDERAL FUNDS.—In addition to the fund-  
8 ing provided through contributions under paragraph  
9 (2), the Secretary shall fund the grant program  
10 under this section using such sums as may be nec-  
11 essary out of any unobligated amounts made avail-  
12 able to carry out section 330I, 330K, or 330L of the  
13 Public Health Service Act (42 U.S.C. 254c–14,  
14 254c–16, 254c–18).

15 (2) MATCHING REQUIREMENT.—The Secretary  
16 may not award a grant under this section unless the  
17 eligible entity desiring the grant agrees, with respect  
18 to the costs to be incurred by the eligible entity in  
19 carrying out the purpose of the grant described in  
20 subsection (b), to make available non-Federal con-  
21 tributions (in cash or in kind) toward such costs in  
22 an amount that is not less than 20 percent of Fed-  
23 eral funds provided through the grant.

1 **SEC. 503. SUBSTANCE USE DISORDER TREATMENT AND**  
 2 **EARLY INTERVENTION SERVICES FOR CHIL-**  
 3 **DREN AND ADOLESCENTS.**

4 The first section 514 of the Public Health Service  
 5 Act (42 U.S.C. 290bb–7), relating to substance abuse  
 6 treatment services for children and adolescents, is amend-  
 7 ed—

8 (1) in the heading, by striking “**ABUSE**  
 9 **TREATMENT**” and inserting “**USE DISORDER**  
 10 **TREATMENT AND EARLY INTERVENTION**”;

11 (2) by striking subsection (a) and inserting the  
 12 following:

13 “(a) IN GENERAL.—The Secretary shall award  
 14 grants, contracts, or cooperative agreements to public and  
 15 private nonprofit entities, including Indian tribes or tribal  
 16 organizations (as such terms are defined in section 4 of  
 17 the Indian Self-Determination and Education Assistance  
 18 Act (25 U.S.C. 450b)), or health facilities or programs  
 19 operated by or pursuant to a contract or grant with the  
 20 Indian Health Service, for the purpose of—

21 “(1) providing early identification and services  
 22 to meet the needs of children and adolescents who  
 23 are at risk of substance use disorders; and

24 “(2) providing substance use disorder treatment  
 25 services for children, including children and adoles-

1        cents with co-occurring mental illness and substance  
2        use disorders.”;

3            (3) in subsection (b)—

4                    (A) by striking paragraph (1) and insert-  
5                    ing the following:

6            “(1) apply evidence-based and cost-effective  
7        methods”;

8                    (B) in paragraph (2)—

9                            (i) by striking “treatment”; and

10                            (ii) by inserting “substance abuse,”  
11                    after “child welfare,”;

12                    (C) in paragraph (3), by striking “sub-  
13                    stance abuse disorders” and inserting “sub-  
14                    stance use disorders, including children and  
15                    adolescents with co-occurring mental illness and  
16                    substance use disorders,”;

17                    (D) in paragraph (5), by striking “treat-  
18                    ment;” and inserting “services; and”;

19                    (E) in paragraph (6), by striking “sub-  
20                    stance abuse treatment; and” and inserting  
21                    “treatment.”; and

22                    (F) by striking paragraph (7); and

23                    (4) in subsection (f), by striking “\$40,000,000”  
24        and all that follows through the period and inserting

1 “such sums as may be necessary for each of fiscal  
2 years 2017 through 2021.”.

3 **SEC. 504. RESIDENTIAL TREATMENT PROGRAMS FOR**  
4 **PREGNANT AND PARENTING WOMEN.**

5 Section 508 of the Public Health Service Act (42  
6 U.S.C. 290bb-1) is amended—

7 (1) in the section heading, by striking  
8 “**POSTPARTUM**” and inserting “**PARENTING**”;

9 (2) in subsection (a)—

10 (A) in the matter preceding paragraph

11 (1)—

12 (i) by inserting “(referred to in this  
13 section as the ‘Director’)” after “Treat-  
14 ment”;

15 (ii) by striking “grants,” and insert-  
16 ing “grants, including the grants under  
17 subsection (r),”;

18 (iii) by striking “postpartum” and in-  
19 serting “parenting”; and

20 (iv) by striking “for substance abuse”  
21 and inserting “for substance use dis-  
22 orders”; and

23 (B) in paragraph (1), by inserting “or re-  
24 ceive outpatient treatment services from” after  
25 “reside in”;

1           (3) in subsection (b)(2), by striking “the serv-  
 2           ices will be made available to each woman” and in-  
 3           serting “services will be made available to each  
 4           woman and child”;

5           (4) in subsection (c)—

6                 (A) in paragraph (1), by striking “to the  
 7                 woman of the services” and inserting “of serv-  
 8                 ices for the woman and her child”; and

9                 (B) in paragraph (2)—

10                     (i) in subparagraph (A), by striking  
 11                     “substance abuse” and inserting “sub-  
 12                     stance use disorders”; and

13                     (ii) in subparagraph (B), by striking  
 14                     “such abuse” and inserting “such a dis-  
 15                     order”;

16           (5) in subsection (d)—

17                 (A) in paragraph (3)(A), by striking “ma-  
 18                 ternal substance abuse” and inserting “a ma-  
 19                 ternal substance use disorder”;

20                 (B) by amending paragraph (4) to read as  
 21                 follows:

22                     “(4) Providing therapeutic, comprehensive child  
 23                     care for children during the periods in which the  
 24                     woman is engaged in therapy or in other necessary  
 25                     health and rehabilitative activities.”;

1 (C) in paragraphs (9), (10), and (11), by  
 2 striking “women” each place such term appears  
 3 and inserting “woman”;

4 (D) in paragraph (9), by striking “units”  
 5 and inserting “unit”; and

6 (E) in paragraph (11)—

7 (i) in subparagraph (A), by striking  
 8 “their children” and inserting “any child  
 9 of such woman”;

10 (ii) in subparagraph (B), by striking  
 11 “; and” and inserting a semicolon;

12 (iii) in subparagraph (C), by striking  
 13 the period and inserting “; and”; and

14 (iv) by adding at the end the fol-  
 15 lowing:

16 “(D) family reunification with children in  
 17 kinship or foster care arrangements, where safe  
 18 and appropriate.”;

19 (6) in subsection (e)—

20 (A) in paragraph (1)—

21 (i) in the matter preceding subpara-  
 22 graph (A), by striking “substance abuse”  
 23 and inserting “substance use disorders”;  
 24 and



1 (ii) in subparagraph (B), by striking  
 2 “substance abuse” and inserting “sub-  
 3 stance abuse disorders”; and

4 (B) in paragraph (2)—

5 (i) by striking “(A) Subject” and in-  
 6 serting the following:

7 “(A) IN GENERAL.—Subject”;

8 (ii) in subparagraph (B)—

9 (I) by striking “(B)(i) In the  
 10 case” and inserting the following:

11 “(B) WAIVER OF PARTICIPATION AGREE-  
 12 MENTS.—

13 “(i) IN GENERAL.—In the case”; and

14 (II) by striking “(ii) A deter-  
 15 mination” and inserting the following:

16 “(ii) DONATIONS.—A determination”;

17 and

18 (iii) by striking “(C) With respect”  
 19 and inserting the following:

20 “(C) NONAPPLICATION OF CERTAIN RE-  
 21 QUIREMENTS.—With respect”;

22 (7) in subsection (g)—

23 (A) by striking “who are engaging in sub-  
 24 stance abuse” and inserting “who have a sub-  
 25 stance use disorder”; and

1 (B) by striking “such abuse” and inserting  
 2 “such disorder”;

3 (8) in subsection (h)(1), by striking  
 4 “postpartum” and inserting “parenting”;  
 5 (9) in subsection (j)—

6 (A) in the matter preceding paragraph (1),  
 7 by striking “to on” and inserting “to or on”;  
 8 and

9 (B) in paragraph (3), by striking “Office  
 10 for” and inserting “Office of”;

11 (10) by amending subsection (m) to read as fol-  
 12 lows:

13 “(m) ALLOCATION OF AWARDS.—In making awards  
 14 under subsection (a), the Director shall give priority to  
 15 an applicant that agrees to use the award for a program  
 16 serving an area that is a rural area, an area designated  
 17 under section 332 by the Secretary as a health profes-  
 18 sional shortage area, or an area determined by the Direc-  
 19 tor to have a shortage of family-based substance use dis-  
 20 order treatment options.”;

21 (11) in subsection (q)—

22 (A) in paragraph (3), by striking “funding  
 23 agreement under subsection (a)” and inserting  
 24 “funding agreement”; and

1 (B) in paragraph (4), by striking “sub-  
 2 stance abuse” and inserting “a substance use  
 3 disorder”;

4 (12) by redesignating subsection (r) as sub-  
 5 section (s);

6 (13) by inserting after subsection (q) the fol-  
 7 lowing:

8 “(r) PILOT PROGRAM FOR STATE SUBSTANCE  
 9 ABUSE AGENCIES.—

10 “(1) IN GENERAL.—From amounts made avail-  
 11 able under subsection (s), the Director may carry  
 12 out a pilot program under which the Director makes  
 13 competitive grants to State substance abuse agencies  
 14 to—

15 “(A) enhance flexibility in the use of funds  
 16 designed to support family-based services for  
 17 pregnant and parenting women with a primary  
 18 diagnosis of a substance use disorder, including  
 19 an opioid use disorder;

20 “(B) help State substance abuse agencies  
 21 address identified gaps in services provided to  
 22 such women along the continuum of care, in-  
 23 cluding services provided to women in nonresi-  
 24 dential based settings; and

1           “(C) promote a coordinated, effective, and  
2           efficient State system managed by State sub-  
3           stance abuse agencies by encouraging new ap-  
4           proaches and models of service delivery that are  
5           evidence-based.

6           “(2) REQUIREMENTS.—Notwithstanding any  
7           other provisions of this section, in carrying out the  
8           pilot program under this subsection, the Director—

9           “(A) shall require a State substance abuse  
10          agency to submit to the Director an application,  
11          in such form and manner and containing such  
12          information as specified by the Director, to be  
13          eligible to receive a grant under the program;

14          “(B) shall identify, based on applications  
15          submitted under subparagraph (A), State sub-  
16          stance abuse agencies that are eligible for such  
17          grants;

18          “(C) shall require services proposed to be  
19          furnished through such a grant to support fam-  
20          ily-based treatment and other services for preg-  
21          nant and parenting women with a primary diag-  
22          nosis of a substance use disorder, including an  
23          opioid use disorder;

1           “(D) shall not require that services fur-  
 2           nished through such a grant be provided solely  
 3           to women that reside in facilities;

4           “(E) shall not require that grant recipients  
 5           under the program make available all services  
 6           described in subsection (d); and

7           “(F) may waive the requirements of sub-  
 8           section (f), depending on the circumstances of  
 9           the grantee.

10          “(3) REQUIRED SERVICES.—

11           “(A) IN GENERAL.—The Director shall  
 12           specify minimum services required to be made  
 13           available to eligible women through a grant  
 14           awarded under the pilot program under this  
 15           subsection. Notwithstanding any other provision  
 16           of this section, such minimum services—

17           “(i) shall include the requirements de-  
 18           scribed in subsection (c);

19           “(ii) may include any of the services  
 20           described in subsection (d);

21           “(iii) may include other services, as  
 22           appropriate; and

23           “(iv) shall be based on the rec-  
 24           ommendations submitted under subpara-  
 25           graph (B).

1           “(B) STAKEHOLDER INPUT.—The Director  
 2           shall consider recommendations from stake-  
 3           holders, including State substance abuse agen-  
 4           cies, health care providers, persons in recovery  
 5           from substance a substance use disorder, and  
 6           other appropriate individuals, for the minimum  
 7           services described in subparagraph (A).

8           “(4) EVALUATION AND REPORT TO CON-  
 9           GRESS.—

10           “(A) EVALUATIONS.—Out of amounts  
 11           made available to the Center for Behavioral  
 12           Health Statistics and Quality, the Director of  
 13           the Center for Behavioral Health Statistics and  
 14           Quality, in cooperation with the Director of the  
 15           Center for Substance Abuse Treatment and the  
 16           recipients of grants under this subsection, shall  
 17           conduct an evaluation of the pilot program, be-  
 18           ginning one year after the date on which a  
 19           grant is first awarded under this subsection.

20           “(B) REPORTS.—

21           “(i) IN GENERAL.—Not later than  
 22           120 days after the completion of the eval-  
 23           uation under subparagraph (A), the Direc-  
 24           tor of the Center for Behavioral Health  
 25           Statistics and Quality, in coordination with

1 the Director of the Center for Substance  
2 Abuse Treatment, shall submit to the rel-  
3 evant Committees of the Senate and the  
4 House of Representatives a report on such  
5 evaluation.

6 “(ii) CONTENTS.—The report to Con-  
7 gress under clause (i) shall include, at a  
8 minimum, outcomes information from the  
9 pilot program under this section, including  
10 any resulting reductions in the use of alco-  
11 hol and other drugs, engagement in treat-  
12 ment services, retention in the appropriate  
13 level and duration of services, increased ac-  
14 cess to the use of drugs approved by the  
15 Food and Drug Administration for the  
16 treatment of substance use disorders in  
17 combination with counseling, and other ap-  
18 propriate measures.

19 “(5) STATE SUBSTANCE ABUSE AGENCIES DE-  
20 FINED.—For purposes of this subsection, the term  
21 ‘State substance abuse agency’ means, with respect  
22 to a State, the agency in such State that manages  
23 the block grant for prevention and treatment of sub-  
24 stance use disorders under subpart II of part B of  
25 title XIX with respect to the State.’; and

1           (14) in subsection (s), as so redesignated, by  
 2       striking “such sums as may be necessary to fiscal  
 3       years 2001 through 2003.” and inserting “such  
 4       sums as may be necessary for each of fiscal years  
 5       2017 through 2021. Of the amounts made available  
 6       for a fiscal year pursuant to the previous sentence,  
 7       not more than 25 percent of such amounts shall be  
 8       made available for such fiscal year to carry out sub-  
 9       section (r).”.

10 **TITLE VI—IMPROVING PATIENT**  
 11 **CARE AND ACCESS TO MEN-**  
 12 **TAL AND SUBSTANCE USE**  
 13 **DISORDER BENEFITS**

14 **SEC. 601. HIPAA CLARIFICATION.**

15       (a) IN GENERAL.—The Secretary of Health and  
 16 Human Services, acting through the Director of the Office  
 17 for Civil Rights, shall ensure that providers, professionals,  
 18 patients and their families, and others involved in mental  
 19 or substance use disorder treatment or care have ade-  
 20 quate, accessible, and easily comprehensible resources re-  
 21 lating to appropriate uses and disclosures of protected  
 22 health information under the regulations promulgated  
 23 under section 264(c) of the Health Insurance Portability  
 24 and Accountability Act of 1996 (42 U.S.C. 1320d–2 note),



1 including resources to clarify permitted uses and dislo-  
 2 sures of such information that—

3 (1) require the patient’s consent;

4 (2) require providing the patient with an oppor-  
 5 tunity to object;

6 (3) are based on the exercise of professional  
 7 judgment regarding whether the patient would ob-  
 8 ject when the opportunity to object cannot prac-  
 9 ticably be provided because of the patient’s inca-  
 10 pacity or an emergency treatment circumstance; and

11 (4) are determined, based on the exercise of  
 12 professional judgment, to be in the best interest of  
 13 the patient when the patient is not present or other-  
 14 wise incapacitated.

15 (b) CONSIDERATIONS.—In carrying out subsection  
 16 (a), the Secretary of Health and Human Services shall  
 17 consider actual and perceived barriers to the ability of  
 18 family members to assist in the treatment of patients with  
 19 a serious mental illness.

20 **SEC. 602. IDENTIFICATION OF MODEL TRAINING PRO-**  
 21 **GRAMS.**

22 (a) PROGRAMS AND MATERIALS.—Not later than 1  
 23 year after the date of enactment of this Act, the Secretary  
 24 of Health and Human Services (in this section referred  
 25 to as the “Secretary”), in consultation with appropriate

1 experts, shall identify or, in the case that none exist, rec-  
2 ognize private or public entities to develop—

3           (1) model programs and materials for training  
4 health care providers (including physicians, emer-  
5 gency medical personnel, psychiatrists, psychologists,  
6 counselors, therapists, behavioral health facilities  
7 and clinics, care managers, and hospitals, including  
8 individuals such as a general counsel or regulatory  
9 compliance staff who are responsible for establishing  
10 provider privacy policies) regarding the permitted  
11 uses and disclosures, consistent with the standards  
12 governing the privacy and security of individually  
13 identifiable health information pursuant to regula-  
14 tions promulgated by the Secretary under section  
15 264(c) of the Health Insurance Portability and Ac-  
16 countability Act of 1996 (42 U.S.C. 1320d–2 note)  
17 and part C of title XI of the Social Security Act (42  
18 U.S.C. 1320d et seq.), of the protected health infor-  
19 mation of patients seeking or undergoing mental  
20 health or substance use disorder treatment or care;  
21 and

22           (2) model programs and materials for training  
23 patients and their families regarding their rights to  
24 protect and obtain information under the standards  
25 described in paragraph (1).

1 (b) PERIODIC UPDATES.—The Secretary shall—

2 (1) periodically review, evaluate, and update the  
3 model programs and materials identified under sub-  
4 section (a); and

5 (2) disseminate the updated model programs  
6 and materials.

7 (c) COORDINATION.—The Secretary shall carry out  
8 this section in coordination with the Director of the Office  
9 for Civil Rights, the Assistant Secretary for Planning and  
10 Evaluation, the Administrator of the Substance Abuse and  
11 Mental Health Services Administration, the Administrator  
12 of the Health Resources and Services Administration, and  
13 the heads of other relevant agencies within the Depart-  
14 ment of Health and Human Services.

15 (d) INPUT OF CERTAIN ENTITIES.—In identifying  
16 the model programs and materials under subsections (a)  
17 and (b), the Secretary shall solicit input from key stake-  
18 holders, including relevant national, State, and local asso-  
19 ciations, medical societies licensing boards, providers of  
20 mental and substance use disorder treatment and care,  
21 and organizations representing patients and consumers.

22 **SEC. 603. CONFIDENTIALITY OF RECORDS.**

23 Not later than 1 year after the date on which the  
24 Secretary of Health and Human Services first finalizes the  
25 regulations updating part 2 of title 42, Code of Federal

1 Regulations (relating to confidentiality of alcohol and drug  
 2 abuse patient records), after the date of enactment of this  
 3 Act, the Secretary shall convene relevant stakeholders to  
 4 determine the impact of such regulations on patient care,  
 5 health outcomes, and patient privacy.

6 **SEC. 604. ENHANCED COMPLIANCE WITH MENTAL HEALTH**  
 7 **AND SUBSTANCE USE DISORDER COVERAGE**  
 8 **REQUIREMENTS.**

9 (a) GUIDANCE.—Section 2726(a) of the Public  
 10 Health Service Act (42 U.S.C. 300gg–26(a)) is amended  
 11 by adding at the end the following:

12 “(6) ADDITIONAL GUIDANCE.—

13 “(A) IN GENERAL.—Not later than 1 year  
 14 after the date of enactment of the Mental  
 15 Health Reform Act of 2016, the Secretary, in  
 16 coordination with the Secretary of Labor and  
 17 the Secretary of the Treasury, shall issue guid-  
 18 ance to group health plans and health insurance  
 19 issuers offering group or individual health in-  
 20 surance coverage to assist such plans and  
 21 issuers in satisfying the requirements of this  
 22 section.

23 “(B) DISCLOSURE.—

24 “(i) GUIDANCE FOR PLANS AND  
 25 ISSUERS.—The guidance issued under this

1 paragraph shall include specific examples  
2 of methods that group health plans and  
3 health insurance issuers offering group or  
4 individual health insurance coverage may  
5 use for disclosing information to dem-  
6 onstrate compliance with the requirements  
7 under this section (and any regulations  
8 promulgated pursuant to this section), in-  
9 cluding methods for complying with re-  
10 quirements for nonquantitative treatment  
11 limitations.

12 “(ii) DOCUMENTS FOR PARTICIPANTS,  
13 BENEFICIARIES, OR CONTRACTING PRO-  
14 VIDERS.—The guidance issued under this  
15 paragraph may include examples of stand-  
16 ardized methods that group health plans  
17 and health insurance issuers offering group  
18 or individual health insurance coverage  
19 may use to provide any participant, bene-  
20 ficiary, or contracting provider, upon re-  
21 quest, with documents containing coverage  
22 information that the health plans or  
23 issuers are required, by this section or any  
24 other provision of law, to disclose to such

participants, beneficiaries, or contracting  
providers, including—

“(I) information, including information that is comparative in nature, on nonquantitative treatment limitations for both medical and surgical benefits and mental health and substance use disorder benefits;

“(II) information, including information that is comparative in nature, about the processes, strategies, evidentiary standards, and other factors used to apply nonquantitative treatment limitations for both medical and surgical benefits and mental health and substance use disorder benefits, including how such limitations are applied to mental health or substance use disorder benefits; and

“(III) information, including information that is comparative in nature, about how nonquantitative treatment limitations are applied to medical and surgical benefits relative to how such limitations are applied to

1                   mental health or substance use dis-  
2                   order benefits.

3                   “(C) NONQUANTITATIVE TREATMENT LIM-  
4                   ITATIONS.—The guidance issued under this  
5                   paragraph shall include information that group  
6                   health plans and health insurance issuers offer-  
7                   ing group or individual health insurance cov-  
8                   erage may use to comply with requirements for  
9                   nonquantitative treatment limitations under  
10                  this section, including—

11                  “(i) examples of appropriate types of  
12                  nonquantitative treatment limitations on  
13                  mental health and substance use disorder  
14                  benefits that comply or do not comply with  
15                  this section, including—

16                  “(I) medical management stand-  
17                  ards that limit or exclude benefits  
18                  based on medical necessity, medical  
19                  appropriateness, or whether a treat-  
20                  ment is experimental or investigative;

21                  “(II) limitations with respect to  
22                  prescription drug formulary design;  
23                  and

24                  “(III) use of fail-first or step  
25                  therapy protocols;

1 “(ii) examples of network admission  
2 standards and individual provider reim-  
3 bursement rates, as such standards and  
4 rates apply to network adequacy, that com-  
5 ply or do not comply with this section;

6 “(iii) examples of sources of informa-  
7 tion that may serve as evidentiary stand-  
8 ards for the purpose of determining com-  
9 pliance or noncompliance with applicable  
10 nonquantitative treatment limitation re-  
11 quirements;

12 “(iv) examples of specific factors that  
13 may be used by such plans or issuers in  
14 performing a nonquantitative treatment  
15 limitation analysis;

16 “(v) examples of specific evidentiary  
17 standards that may be used by such plans  
18 or issuers to evaluate the specific factors  
19 described in clause (iv);

20 “(vi) examples of how a lack of clin-  
21 ical evidence may be taken into consider-  
22 ation by such plans or issuers in the case  
23 of experimental treatment exclusions;

24 “(vii) examples of how specific evi-  
25 dentiary standards may be applied to each



1 service category or classification of bene-  
 2 fits;

3 “(viii) examples of new mental health  
 4 or substance use disorder treatments that  
 5 comply or do not comply with this section,  
 6 such as evidence-based early intervention  
 7 programs for individuals with a serious  
 8 mental illness and types of medical man-  
 9 agement techniques that have been deter-  
 10 mined to meet or fail to meet requirements  
 11 for nonquantitative treatment limitations;

12 “(ix) examples of coverage determina-  
 13 tions that comply or do not comply with  
 14 this section and for which there is an indi-  
 15 rect relationship between the covered men-  
 16 tal health or substance use disorder benefit  
 17 and a traditional covered medical and sur-  
 18 gical benefit, such as residential treatment  
 19 or hospitalizations involving involuntary  
 20 commitment;

21 “(x) examples of how nonquantitative  
 22 treatment limitations and their application,  
 23 determinations that treatments are no  
 24 longer medically necessary, and efforts to  
 25 terminate or reduce care may be resolved

1 in a manner that is least burdensome to  
 2 the patient and provides for continuity of  
 3 patient care; and

4 “(xi) additional examples of coverage  
 5 of mental health and substance use dis-  
 6 order benefits that comply or do not com-  
 7 ply with this section, including cases in  
 8 which restrictions based on geographic lo-  
 9 cations, facility type, provider specialty, or  
 10 other criteria limit the scope or duration of  
 11 benefits.

12 “(D) PUBLIC COMMENT.—Prior to issuing  
 13 any final guidance under this section, the Sec-  
 14 retary shall provide a public comment period of  
 15 not less than 60 days during which any member  
 16 of the public may provide comments on a draft  
 17 of the guidance.”.

18 (b) IMPROVING COMPLIANCE.—

19 (1) IN GENERAL.—In the case of a group  
 20 health plan or health insurance issuer offering  
 21 health insurance coverage in the group or individual  
 22 market with respect to which there are at least 5  
 23 findings of noncompliance with section 2726 of the  
 24 Public Health Service Act (42 U.S.C. 300gg–26),  
 25 section 712 of the Employee Retirement Income Se-

1       curity Act of 1974 (29 U.S.C. 1185a), or section  
 2       9812 of the Internal Revenue Code, the appropriate  
 3       Secretary shall audit plan documents for such health  
 4       plan or issuer in the following plan year in order to  
 5       help improve compliance with such section.

6           (2) RULE OF CONSTRUCTION.—Nothing in this  
 7       subsection shall be construed to limit the authority,  
 8       as in effect on the day before the date of enactment  
 9       of this Act, of the Secretary of Health and Human  
 10      Services, the Secretary of Labor, or the Secretary of  
 11      the Treasury to audit documents of health plans or  
 12      health insurance issuers.

13 **SEC. 605. ACTION PLAN FOR ENHANCED ENFORCEMENT OF**  
 14                   **MENTAL HEALTH AND SUBSTANCE USE DIS-**  
 15                   **ORDER COVERAGE.**

16       (a) PUBLIC MEETING.—

17           (1) IN GENERAL.—Not later than 6 months  
 18       after the date of enactment of this Act, the Sec-  
 19       retary of Health and Human Services shall convene  
 20       a public meeting of stakeholders described in para-  
 21       graph (2) to produce an action plan for improved  
 22       Federal and State coordination related to the en-  
 23       forcement of mental health parity and addiction eq-  
 24       uity requirements.

1           (2) STAKEHOLDERS.—The stakeholders de-  
2       scribed in this paragraph shall include each of the  
3       following:

4           (A) The Federal Government, including  
5       representatives from—

6               (i) the Department of Health and  
7       Human Services;

8               (ii) the Department of the Treasury;

9               (iii) the Department of Labor; and

10              (iv) the Department of Justice.

11          (B) State governments, including—

12              (i) State health insurance commis-  
13       sioners;

14              (ii) appropriate State agencies, includ-  
15       ing agencies on public health or mental  
16       health; and

17              (iii) State attorneys general or other  
18       representatives of State entities involved in  
19       the enforcement of mental health parity  
20       laws.

21          (C) Representatives from key stakeholder  
22       groups, including—

23              (i) the National Association of Insur-  
24       ance Commissioners;

25              (ii) health insurance providers;

- 1 (iii) providers of mental health and
- 2 substance use disorder treatment;
- 3 (iv) employers; and
- 4 (v) patients or their advocates.

5 (b) ACTION PLAN.—Not later than 6 months after  
6 the public meeting under subsection (a), the Secretary of  
7 Health and Human Services shall finalize the action plan  
8 described in such subsection and make it plainly available  
9 on the Internet website of the Department of Health and  
10 Human Services.

11 (c) CONTENT.—The action plan under this section  
12 shall—

13 (1) reflect the input of the stakeholders invited  
14 to the public meeting under subsection (a);

15 (2) identify specific strategic objectives regard-  
16 ing how the various Federal and State agencies  
17 charged with enforcement of mental health parity  
18 and addiction equity requirements will collaborate to  
19 improve enforcement of such requirements;

20 (3) provide a timeline for when such objectives  
21 shall be met; and

22 (4) provide specific examples of how such objec-  
23 tives may be met, which may include—

24 (A) providing common educational infor-  
25 mation and documents to patients about their

1 rights under Federal or State mental health  
2 parity and addiction equity requirements;

3 (B) facilitating the centralized collection  
4 of, monitoring of, and response to patient com-  
5 plaints or inquiries relating to Federal or State  
6 mental health parity and addiction equity re-  
7 quirements, which may be through the develop-  
8 ment and administration of a single, toll-free  
9 telephone number and an Internet website por-  
10 tal;

11 (C) Federal and State law enforcement  
12 agencies entering into memoranda of under-  
13 standing to better coordinate enforcement re-  
14 sponsibilities and information sharing, including  
15 whether such agencies should make the results  
16 of enforcement actions related to mental health  
17 parity and addiction equity requirements pub-  
18 licly available; and

19 (D) recommendations to the Secretary and  
20 Congress regarding the need for additional legal  
21 authority to improve enforcement of mental  
22 health parity and addiction equity requirements,  
23 including requirements for nonquantitative  
24 treatment limitations and the extent and fre-  
25 quency of how such limitations are applied both

1 to medical and surgical benefits and to mental  
2 health and substance use disorder benefits.

3 **SEC. 606. REPORT ON INVESTIGATIONS REGARDING PAR-**  
4 **ITY IN MENTAL HEALTH AND SUBSTANCE**  
5 **USE DISORDER BENEFITS.**

6 (a) IN GENERAL.—Not later than 1 year after the  
7 date of enactment of this Act, and annually thereafter for  
8 the subsequent 5 years, the Administrator of the Centers  
9 for Medicare & Medicaid Services, in collaboration with  
10 the Assistant Secretary of Labor of the Employee Benefits  
11 Security Administration and the Secretary of the Treas-  
12 ury, shall submit to the Committee on Health, Education,  
13 Labor, and Pensions of the Senate a report summarizing  
14 the results of all closed Federal investigations completed  
15 during the preceding 12-month period with findings of any  
16 serious violation regarding compliance with parity in men-  
17 tal health and substance use disorder benefits, including  
18 benefits provided to persons with a serious mental illness  
19 or a substance use disorder, under section 2726 of the  
20 Public Health Service Act (42 U.S.C. 300gg–26), section  
21 712 of the Employee Retirement Income Security Act of  
22 1974 (29 U.S.C. 1185a), and section 9812 of the Internal  
23 Revenue Code of 1986.

1 (b) CONTENTS.—Subject to subsection (c), a report  
2 under subsection (a) shall, with respect to investigations  
3 described in such subsection, include each of the following:

4 (1) The number of open or closed Federal in-  
5 vestigations conducted during the covered reporting  
6 period.

7 (2) Each benefit classification examined by any  
8 such investigation conducted during the covered re-  
9 porting period.

10 (3) Each subject matter, including compliance  
11 with requirements for quantitative and nonquantita-  
12 tive treatment limitations, of any such investigation  
13 conducted during the covered reporting period.

14 (4) A summary of the basis of the final decision  
15 rendered for each closed investigation conducted  
16 during the covered reporting period that resulted in  
17 a finding of a serious violation.

18 (c) LIMITATION.—Any individually identifiable infor-  
19 mation shall be excluded from reports under subsection  
20 (a) consistent with protections under the health privacy  
21 and security rules promulgated under section 264(c) of the  
22 Health Insurance Portability and Accountability Act of  
23 1996 (42 U.S.C. 1320d–2 note).



1 **SEC. 607. GAO STUDY ON COVERAGE LIMITATIONS FOR IN-**  
2 **DIVIDUALS WITH SERIOUS MENTAL ILLNESS**  
3 **AND SUBSTANCE USE DISORDERS.**

4 Not later than 3 years after the date of enactment  
5 of this Act, the Comptroller General of the United States,  
6 in consultation with the Secretary of Health and Human  
7 Services, the Secretary of Labor, and the Secretary of the  
8 Treasury, shall submit to the Committee on Health, Edu-  
9 cation, Labor, and Pensions of the Senate a report detail-  
10 ing the extent to which group health plans or health insur-  
11 ance issuers offering group or individual health insurance  
12 coverage that provides both medical and surgical benefits  
13 and mental health or substance use disorder benefits, and  
14 medicaid managed care organizations with a contract  
15 under section 1903(m) of the Social Security Act (42  
16 U.S.C. 1396b(m)), comply with section 2726 of the Public  
17 Health Service Act (42 U.S.C. 300gg–26), section 712 of  
18 the Employee Retirement Income Security Act of 1974  
19 (29 U.S.C. 1185a), and section 9812 of the Internal Rev-  
20 enue Code of 1986, including—

21 (1) how nonquantitative treatment limitations,  
22 including medical necessity criteria, of such plans or  
23 issuers comply with such sections;

24 (2) how the responsible Federal departments  
25 and agencies ensure that such plans or issuers com-  
26 ply with such sections, including an assessment of

1       how the Secretary of Health and Human Services  
2       has used its authority to conduct audits of such  
3       plans to ensure compliance;

4           (3) a review of how the various Federal and  
5       State agencies responsible for enforcing mental  
6       health parity requirements have improved enforce-  
7       ment of such requirements in accordance with the  
8       objectives and timeline described in the action plan  
9       under section 605; and

10          (4) recommendations for how additional en-  
11       forcement, education, and coordination activities by  
12       responsible Federal and State departments and  
13       agencies could better ensure compliance with such  
14       sections, including recommendations regarding the  
15       need for additional legal authority.

16 **SEC. 608. CLARIFICATION OF EXISTING PARITY RULES.**

17       If a group health plan or a health insurance issuer  
18       offering group or individual health insurance coverage pro-  
19       vides coverage for eating disorder benefits including, but  
20       not limited to, residential treatment, such group health  
21       plan or health insurance issuer shall provide such benefits  
22       consistent with the requirements of section 2726 of the  
23       Public Health Service Act (42 U.S.C. 300gg-26), section  
24       712 of the Employee Retirement Income Security Act of

- 1 1974 (29 U.S.C. 1185a), and section 9812 of the Internal
- 2 Revenue Code of 1986.

