

TO AMEND TITLE 38, UNITED STATES CODE, TO ESTABLISH QUALIFICATIONS FOR THE APPOINTMENT OF A PERSON AS A MARRIAGE AND FAMILY THERAPIST, QUALIFIED TO PROVIDE CLINICAL SUPERVISION, IN THE VETERANS HEALTH ADMINISTRATION

MAY 17, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BOST, from the Committee on Veterans' Affairs,
submitted the following

R E P O R T

[To accompany H.R. 658]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 658) to amend title 38, United States Code, to establish qualifications for the appointment of a person as a marriage and family therapist, qualified to provide clinical supervision, in the Veterans Health Administration, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 658, “To amend title 38, United States Code, to establish qualifications for the appointment of a person as a marriage and family therapist (LMFT), qualified to provide clinical supervision, in the Veterans Health Administration (VHA),” was introduced by Representative Julia Brownley of California on January 23, 2025. This bill would establish new qualification requirements for licensed marriage and family therapists (LMFT) to be appointed to positions providing clinical supervision within the Department of Veterans Affairs (VA) Veterans Health Administration (VHA). Specifically, individuals would be required to hold a master’s degree in marriage and family therapy, or a comparable degree in mental health, from a college or university approved by the Secretary; be licensed or certified to independently practice marriage and family therapy in a State; and either (1) be authorized to provide clinical supervision in the State where they are licensed or certified; or (2) be designated as an approved supervisor by the American Association for Marriage and Family Therapy.

BACKGROUND AND NEED FOR LEGISLATION

LMFTs help individuals and couples develop appropriate coping mechanisms for interpersonal conflicts, major life changes, and a variety of other challenges. The unique challenges that our nation’s military and veteran families face need to be addressed through robust, wrap-around services and holistic treatment, regardless of where they reside.

In 2006, the “Veterans Benefits, Health Care, and Information Technology Act of 2006” [P.L. 109–461] established LMFTs as a healthcare occupation eligible to be appointed at VA. VA established qualification standards for rank-and-file LMFTs and began hiring them in 2010. In 2018, VA revised its qualification standards and included a new requirement that LMFTs who serve at a supervisory or managerial level and above must have obtained the American Association for Marriage and Family Therapy’s (AAMFT) “approved supervisor” designation in order to supervise. H.R. 658 would amend VA’s qualification standards, so that individuals could be appointed to supervisory roles if they have been authorized to provide clinical supervision in the State where they are licensed or certified, if they do not have an AAMFT “approved supervisor” designation.

Currently, VA does not require licensed professional mental health counselors, social workers, or other mental health providers to obtain a designation from a private organization in order to serve as clinical supervisors. Furthermore, VA’s current qualification standards are not aligned with state law. All 50 states and the District of Columbia license or certify LMFTs and have requirements for individuals who want to provide clinical supervision. However, only two states—North Carolina and Tennessee—require that clinical supervisors hold the AAMFT “approved supervisor” designation.

VA’s current qualification standards place LMFTs at a disadvantage when it comes to retention and promotion. There are thou-

sands of LMFTs who are recognized as state-approved supervisors, yet they are not eligible to supervise within VA because they do not have the AAMFT “approved supervisor” designation. Some LMFTs have left VA employment because of this restriction, which contributes to vacancies among mental health providers within the Department. H.R. 658 would help expand veterans’ access to mental health care by expanding the pool of eligible LMFT applicants for both rank-and-file and supervisory positions.

HEARINGS

On March 11, 2025, the Subcommittee on Health held a legislative hearing on H.R. 658 and other bills that were pending before the subcommittee.

The following witnesses testified:

The Honorable Jack Bergman, U.S. House of Representatives, 1st Congressional District, Michigan; The Honorable Greg Murphy, U.S. House of Representatives, 3rd Congressional District, North Carolina; The Honorable Steve Womack, U.S. House of Representatives, 3rd Congressional District, Arkansas; The Honorable Don Bacon, U.S. House of Representatives, 1st Congressional District, Nebraska; The Honorable Sylvia Garcia, U.S. House of Representatives, 29th Congressional District, Texas; The Honorable Lauren Underwood, U.S. House of Representatives, 14th Congressional District, Illinois; The Honorable Chris Deluzio, U.S. House of Representatives, 17th Congressional District, Pennsylvania; Dr. Thomas O’Toole, Deputy Assistant Under Secretary for Health for Clinical Services, Quality and Field Operations, Veterans Health Administration, U.S. Department of Veterans Affairs; Dr. Antoinette Shappell, Deputy Assistant Under Secretary for Health for Patient Services, Veterans Health Administration, U.S. Department of Veterans Affairs; Dr. Thomas Emmendorfer, Executive Director, Pharmacy Benefits Management, Veterans Health Administration, U.S. Department of Veterans Affairs; Dr. Jeffrey Gold, President, University of Nebraska System; Ms. Sue Morris, President, Veterans Trust; Mr. Brian Dempsey, Director of Government Affairs, Wounded Warrior Project; Mr. Ed Harries, President, National Association of State Veterans Homes; Mr. Jon Retzer, Deputy National Legislative Director, Disabled American Veterans;

Statements for the record were submitted by:

Veterans Healthcare Policy Institute; Paralyzed Veterans of America; American Federation of Government Employees; Representative Murphy; Trajectory Medical; and American Association for Marriage and Family Therapy.

SUBCOMMITTEE CONSIDERATION

On March 25, 2025, the Subcommittee on Health met in an open markup session, a quorum being present to consider H.R. 658. Representative Brownley offered a motion to favorably forward H.R. 658 to the full Committee on Veterans’ Affairs, which was approved by voice vote.

COMMITTEE CONSIDERATION

On May 6, 2025, the full Committee met in open markup session, a quorum being present to consider H.R. 658. Representative Takano offered a motion to favorably report H.R. 658 to the House of Representatives, which was agreed to by voice vote.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, there were no recorded votes taken on amendments or in connection with ordering H.R. 658, as amended, reported to the House. A motion by Ranking Member Takano of California to report H.R. 658 favorably to the House of Representatives was adopted by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are to expand the number of LMFTs that can serve veterans and their families to the full extent of their education and licensure.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 658 does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 658, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 658 provided by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

H.R. 658, a bill to amend title 38, United States Code, to establish qualifications for the appointment of a person as a marriage and family therapist, qualified to provide clinical supervision, in the Veterans Health Administration

As ordered reported by the House Committee on Veterans' Affairs on May 6, 2025

By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	0	0
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 658 would establish qualifications for marriage and family therapists who are authorized to provide clinical supervision within the Veterans Health Administration (VHA). The bill would allow supervising therapists to qualify either by meeting state authorization requirements or by holding a designation as a supervisor from the American Association for Marriage and Family Therapy.

The qualifications established under the bill would not change the number of VHA personnel or materially affect hiring practices at the Department of Veterans Affairs. Thus, CBO estimates that implementing the additional qualifications in the bill would not affect the federal budget.

The CBO staff contact for this estimate is Noah Callahan. The estimate was reviewed by Christina Hawley Anthony, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 658, prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 658.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 658 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 658, establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Establishment of qualifications for the appointment of a person as a marriage and family therapist, qualified to provide clinical supervision, in the Veterans Health Administration

This section of the bill establishes new qualifications for individuals to be appointed to roles providing clinical supervision at VHA. Specifically, LMFTs must either (1) be authorized to provide clinical supervision in the State where they are licensed or certified; or (2) be designated as an approved supervisor by the American Association for Marriage and Family Therapy.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

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PART V—BOARDS, ADMINISTRATIONS, AND SERVICES

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CHAPTER 74—VETERANS HEALTH ADMINISTRATION—PERSONNEL

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SUBCHAPTER I—APPOINTMENTS

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§ 7402. Qualifications of appointees

(a) To be eligible for appointment to the positions in the Administration covered by subsection (b), a person must have the applicable qualifications set forth in that subsection.

(b)(1) PHYSICIAN.—To be eligible to be appointed to a physician position, a person must—

(A) hold the degree of doctor of medicine or of doctor of osteopathy from a college or university approved by the Secretary,

(B) have completed an internship satisfactory to the Secretary, and

(C) be licensed to practice medicine, surgery, or osteopathy in a State.

(2) DENTIST.—To be eligible to be appointed to a dentist position, a person must—

(A) hold the degree of doctor of dental surgery or dental medicine from a college or university approved by the Secretary, and

(B) be licensed to practice dentistry in a State.

(3) NURSE.—To be eligible to be appointed to a nurse position, a person must—

(A) have successfully completed a full course of nursing in a recognized school of nursing, approved by the Secretary, and

(B) be registered as a graduate nurse in a State.

(4) DIRECTOR OF A HOSPITAL, DOMICILIARY, CENTER, OR OUTPATIENT CLINIC.—To be eligible to be appointed to a director position, a person must have such business and administrative experience and qualifications as the Secretary shall prescribe.

(5) PODIATRIST.—To be eligible to be appointed to a podiatrist position, a person must—

(A) hold the degree of doctor of podiatric medicine, or its equivalent, from a school of podiatric medicine approved by the Secretary, and

(B) be licensed to practice podiatry in a State.

(6) OPTOMETRIST.—To be eligible to be appointed to an optometrist position, a person must—

(A) hold the degree of doctor of optometry, or its equivalent, from a school of optometry approved by the Secretary, and

(B) be licensed to practice optometry in a State.

(7) PHARMACIST.—To be eligible to be appointed to a pharmacist position, a person must—

(A) hold the degree of bachelor of science in pharmacy, or its equivalent, from a school of pharmacy, approved by the Secretary, and

(B) be registered as a pharmacist in a State.

(8) PSYCHOLOGIST.—To be eligible to be appointed to a psychologist position, a person must—

(A) hold a doctoral degree in psychology from a college or university approved by the Secretary,

(B) have completed study for such degree in a specialty area of psychology and an internship which are satisfactory to the Secretary, and

(C) be licensed or certified as a psychologist in a State, except that the Secretary may waive the requirement of licensure or certification for an individual psychologist for a period not to exceed two years on the condition that that psychologist pro-

vide patient care only under the direct supervision of a psychologist who is so licensed or certified.

(9) SOCIAL WORKER.—To be eligible to be appointed to a social worker position, a person must—

(A) hold a master's degree in social work from a college or university approved by the Secretary; and

(B) be licensed or certified to independently practice social work in a State, except that the Secretary may waive the requirement of licensure or certification for an individual social worker for a reasonable period of time recommended by the Under Secretary for Health.

(10) MARRIAGE AND FAMILY THERAPIST.—(A) To be eligible to be appointed to a marriage and family therapist position, a person must—

[(A)] (i) hold a master's degree in marriage and family therapy, or a comparable degree in mental health, from a college or university approved by the Secretary; and

[(B)] (ii) be licensed or certified to independently practice marriage and family therapy in a State, except that the Secretary may waive the requirement of licensure or certification for an individual marriage and family therapist for a reasonable period of time recommended by the Under Secretary for Health.

(B) *To be eligible to be appointed to a marriage and family therapist position and qualified to provide clinical supervision, a person must—*

(i) have the qualifications set forth in subparagraph (A); and

(ii)(I) be authorized to provide clinical supervision in the State described in clause (ii) of such subparagraph; or

(II) be designated as an approved supervisor by the American Association for Marriage and Family Therapy.

(11) LICENSED PROFESSIONAL MENTAL HEALTH COUNSELOR.—To be eligible to be appointed to a licensed professional mental health counselor position, a person must—

(A) hold a master's degree or doctoral degree in mental health counseling, or a related field, from a college or university approved by the Secretary; and

(B) be licensed or certified to independently practice mental health counseling.

(12) CHIROPRACTOR.—To be eligible to be appointed to a chiropractor position, a person must—

(A) hold the degree of doctor of chiropractic, or its equivalent, from a college of chiropractic approved by the Secretary; and

(B) be licensed to practice chiropractic in a State.

(13) PEER SPECIALIST.—To be eligible to be appointed to a peer specialist position, a person must—

(A) be a veteran who has recovered or is recovering from a mental health condition; and

(B) be certified by—

(i) a not-for-profit entity engaged in peer specialist training as having met such criteria as the Secretary shall establish for a peer specialist position; or

(ii) a State as having satisfied relevant State requirements for a peer specialist position.

(14) OTHER HEALTH-CARE POSITIONS.—To be appointed as a physician assistant, expanded-function dental auxiliary, certified or registered respiratory therapist, licensed physical therapist, licensed practical or vocational nurse, occupational therapist, dietitian, microbiologist, chemist, biostatistician, medical technologist, dental technologist, hearing aid specialist, or other position, a person must have such medical, dental, scientific, or technical qualifications as the Secretary shall prescribe.

(c) Except as provided in section 7407(a) of this title, a person may not be appointed in the Administration to a position listed in section 7401(1) of this title unless the person is a citizen of the United States.

(d) A person may not be appointed under section 7401(1) of this title to serve in the Administration in any direct patient-care capacity unless the Under Secretary for Health determines that the person possesses such basic proficiency in spoken and written English as will permit such degree of communication with patients and other health-care personnel as will enable the person to carry out the person's health-care responsibilities satisfactorily. Any determination by the Under Secretary for Health under this subsection shall be in accordance with regulations which the Secretary shall prescribe.

(e) A person may not serve as Chief of Staff of a Department health-care facility if the person is not serving on a full-time basis.

(f) A person may not be employed in a position under subsection (b) (other than under paragraph (4) of that subsection) if—

(1) the person is or has been licensed, registered, or certified (as applicable to such position) in more than one State; and

(2) either—

(A) any of those States has terminated such license, registration, or certification for cause; or

(B) the person has voluntarily relinquished such license, registration, or certification in any of those States after being notified in writing by that State of potential termination for cause.

(g) The Secretary may enter into contracts with not-for-profit entities to provide—

(1) peer specialist training to veterans; and

(2) certification for veterans under subsection (b)(13)(B)(i).

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