



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 130
[2013 Assembly Bill 458]

**Medical Assistance Mental
Health Benefits**

2013 Wisconsin Act 130 specifies that in providing mental health benefits under the Medical Assistance (MA) program, the Department of Health Services (DHS) must do all of the following:

- Allow a severely emotionally disturbed child to access in-home therapy without having to show a failure to succeed in outpatient therapy.
- Allow qualifying families to participate in in-home therapy even if a child in that family is enrolled in a day treatment program.
- Reimburse mental health services provided through telehealth¹ if the provider of the service satisfies all of the following criteria:
 - The provider is a certified provider of mental health services under MA in Wisconsin and is an agency that is certified by DHS as an emergency mental health service program, a comprehensive community services program, a mental health day treatment services program for children, a program organized under s. 46.23, 51.42, or 51.437, Stats., an outpatient psychotherapy clinic, or a community support program, or that is certified by the DHS to perform a community substance abuse prevention and treatment service, except for narcotic treatment service for opiate addiction.

¹ "Telehealth" is defined as a service provided from a remote location using a combination of interactive video, audio, and externally acquired images through a networking environment between an individual at an originating site and a provider at a remote location with the service being of sufficient audio and visual fidelity and clarity as to be functionally equivalent to face-to-face contact. "Telehealth" does not include telephone conversations or Internet-based communications between providers or between providers and individuals.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- The provider and the individual providing the service comply with all MA coverage policies and standards established by DHS, rules, and federal statutes and regulations for each particular mental health service provided.
- The provider is certified for telehealth by DHS.
- The individual who is providing the service is currently licensed, certified, or registered in his or her profession in Wisconsin and is in good standing with the applicable examining board.
- The provider is located in the United States. The provider is not required to be located in Wisconsin.

Effective date: February 8, 2014.

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