



# LegisBrief

A QUICK LOOK INTO IMPORTANT ISSUES OF THE DAY

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## States Look to Telebehavioral Health to Expand Treatment Options

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The prevalence of mental health and substance use disorders, coupled with roadblocks to obtaining treatment, constitute what many consider to be a serious behavioral health problem in the United States. Some lawmakers, looking for solutions, are expanding access to treatment through telebehavioral health care—using technology to provide services remotely.

The term “behavioral health” includes both mental health and substance use disorders. The Substance Abuse and Mental Health Services Administration (SAMHSA) [estimates](#) that 18.3 percent of the U.S. adult population—44.7 million people—suffered from a mental illness in the

past year. In 2016, 28.6 million people aged 12 or older used an illicit drug in the past 30 days, corresponding to about 1 in 10 Americans overall, and 1 in 4 young adults aged 18 to 25.

While millions of adults experience a behavioral health disorder, many are unable to access treatment. An untreated or severe mental health or substance use disorder can affect a person’s ability to work, build relationships and contribute to their communities. According to the [National Institute on Drug Abuse](#), fewer than 10 percent of adults with co-occurring mental health and substance use disorders receive treatment for both disorders, and more than 50 percent do not receive treatment for either disorder.

### Did You Know?

- Nearly [one in five](#) people has a mental health condition.
- [Two out of three](#) primary care physicians cannot access psychiatry referrals for their clients in need.
- [\\$89 billion](#) was spent on mental illness treatment in the United States in 2013, the most recent year data is available.

The prevalence of mental health disorders is exacerbated by challenges to accessing care. [The National Council for Behavioral Health](#) predicts coverage gaps to continue increasing as communities across the country face a severe shortage of behavioral health providers and resources.

Telebehavioral health care is one strategy state policymakers are using as they explore ways to reduce gaps and increase access to essential behavioral health services. This option falls under the telehealth umbrella—a tool that capitalizes on technology to provide health services remotely. Like telehealth, telebehavioral health care [can increase the reach](#) of existing providers to rural and underserved communities, and help reduce travel time and expense for both providers and patients. [Current research](#) demonstrates comparable effectiveness with in-person services.

Telebehavioral health can take many forms, such as online therapy through video conferencing, online chat functions, online care management, or even [mobile applications](#).

## State Action

As telehealth services become more widely accepted, state legislators are increasingly considering telehealth to bridge provider gaps and improve behavioral health. A 2017 report by the American Telemedicine Association found that all states have some form of coverage and reimbursement for mental health services provided via telehealth, although state policies vary widely in scope and specificity.

■ **Mental health.** California [AB 2315](#) (2018) enables students to receive remote access to behavioral health services. The bill requires the state Department of Education to develop guidelines for using telehealth technology in public schools, including charter schools, to provide behavioral health services to students on school campuses. Utah enacted [HB 308](#) (2018), which sets aside nearly \$600,000 for the Division of Substance Abuse and Mental Health. The funds will support a two-year program to create a telemedicine platform that schools can access to facilitate remote consults between students and providers.

The [Telemedicine Wellness, Intervention, Triage and Referral \(TWITR\) Program](#), launched by Texas Tech University in 2012, leverages telemedicine to provide services to junior high and high school students who are at risk for injury or harm to others or themselves in school settings. The Texas Office of Governor's Criminal Justice Planning Development funds the TWITR project.

■ **Substance use.** As the United States struggles with a substance use disorder crisis, telehealth can play an important role by filling gaps in access to

health care workers. Some states leverage telebehavioral health to increase access for medication-assisted treatment (MAT), which uses medication in combination with behavioral therapies, to treat opioid use disorders, according to [SAMHSA](#). To facilitate MAT, some state policymakers have considered amending in-person evaluation requirements to allow providers to prescribe controlled substances via telehealth.

Connecticut [SB 302](#) (2018), for example, allows providers to prescribe certain controlled substances remotely to treat substance use disorder, including for MAT. In addition, the Florida Board of Medicine upheld an [amended rule](#) allowing controlled substances to be prescribed via telemedicine to treat psychiatric disorders.

■ **Telebehavioral health partnerships.** Providers and health systems also can team up to fill gaps in access to services. The South Carolina Department of Mental Health and the South Carolina Hospital Association partnered with Duke University to [launch a statewide telepsychiatry network](#), the first in the United States. [The Duke Endowment](#) awarded more than \$11.7 million since 2007 to build telepsychiatry networks in North Carolina and South Carolina.

## Federal Action

The [Bipartisan Budget Act of 2018](#) included the [Creating High-Quality Results and Outcomes Necessary to Improve Chronic Care Act](#), which seeks to expand access to telehealth services within several Medicare programs.

The recent [SUPPORT for Patients and Communities Act](#) directs the Centers for Medicare & Medicaid Services (CMS) to issue guidance to states on options for providing telehealth services for substance use disorders under Medicaid. It includes options for reimbursement of such services. The act also gives the Drug Enforcement Administration (DEA) a one-year deadline to register practitioners to practice telemedicine. A DEA statement on the [Use of Telemedicine While Providing Medication-Assisted Treatment](#) clarifies how practitioners can use telemedicine as a tool to expand the use of the medicine buprenorphine to treat opioid use disorder under current DEA regulations.

The Veterans Affairs Department uses telemedicine to provide mental health care for veterans. The VA often employs its [Clinical Video Telehealth](#) system to allow veterans to connect to a mental health provider separated by distance or time. The VA is also allowing veterans to connect with behavioral health providers in their homes. The [VA Offices of Connected Care and Rural Health](#) distributed tablets to veterans experiencing barriers to access in 2016.

## Additional Resources

- [NCSL Telehealth Policy Brief](#)
- [Center for Connected Health Policy](#)
- [National Consortium of Telehealth Resource Centers](#)

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