

Excerpts from H.R. 2617 – Consolidated Appropriations Act, 2023

12/29/2022 Became Public Law No: 117-328

(beginning on page 136 STAT. 5902)

“(III) Marriage and Family Therapist Services; Marriage and Family Therapist; Mental Health Counselor Services; Mental Health Counselor.--

“(1) Marriage and family therapist services.--The term ‘marriage and family therapist services’ means services furnished by a marriage and family therapist (as defined in paragraph (2)) for the diagnosis and treatment of mental illnesses (other than services furnished to an inpatient of a hospital), which the marriage and family therapist is legally authorized to perform under State law (or the State regulatory mechanism provided by State law) of the State in which such services are furnished, as would otherwise be covered if furnished by a physician or as an incident to a physician's professional service.

“(2) **Marriage and family therapist**.--The term ‘marriage and family therapist’ means an individual who—

“(A) possesses a master's or doctor's degree which qualifies for licensure or certification as a marriage and family therapist pursuant to State law of the State in which such individual furnishes the services described in paragraph (1);

“(B) is licensed or certified as a marriage and family therapist by the State in which such individual furnishes such services;

“(C) **after obtaining such degree has performed at least 2 years of clinical supervised experience in marriage and family therapy**; and

“(D) meets such other requirements as specified by the Secretary.”

“(3) Mental health counselor services.--The term ‘mental health counselor services’ means services furnished by a mental health counselor (as defined in paragraph (4)) for the diagnosis and treatment of mental illnesses (other than services furnished to an inpatient of a hospital), which the mental health counselor is legally authorized to perform under State law (or the State regulatory mechanism provided by the State law) of the State in which such services are furnished, as would otherwise be covered if furnished by a physician or as incident to a physician's professional service.

“(4) **Mental health counselor**.--The term ‘mental health counselor’ means an individual who--

“(A) possesses a master's or doctor's degree which qualifies for licensure or certification as a mental health counselor, clinical professional counselor, or professional counselor under the State law of the State in which such individual furnishes the services described in paragraph (3);

“(B) is licensed or certified as a mental health counselor, clinical professional counselor, or professional counselor by the State in which the services are furnished;

“(C) **after obtaining such a degree has performed at least 2 years of clinical supervised experience in mental health counseling**; and

“(D) meets such other requirements as specified by the Secretary”.