118TH CONGRESS
1ST SESSION

S.

To amend title XVIII of the Social Security Act to provide for coverage of peer support services under the Medicare program.

IN THE SENATE OF THE UNITED STATES

Ms. CORTEZ MASTO (for herself and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend title XVIII of the Social Security Act to provide for coverage of peer support services under the Medicare program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Promoting Effective and Empowering Recovery Services in Medicare Act of 2023” or the “PEERS Act of 2023”.
SEC. 2. COVERAGE OF PEER SUPPORT SERVICES UNDER THE MEDICARE PROGRAM.

(a) COVERAGE.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—

(1) in subsection (s)(2)—

(A) in subparagraph (JJ), by inserting “and” after the semicolon at the end; and

(B) by adding at the end the following new subparagraph:

“(KK) peer support services (as defined in subsection (nnn)) furnished on or after January 1, 2025;”;

and

(2) by adding at the end the following new subsection:

“(nnn) PEER SUPPORT SERVICES.—

“(1) PEER SUPPORT SERVICES.—The term ‘peer support services’ means emotional, informational, instrumental, and affiliational support services—

“(A) furnished—

“(i) by a Federally qualified health center, a rural health clinic, a community mental health center, or a certified community behavioral health clinic (as described in section 223 of the Protecting Access to
Medicare Act of 2014), using a peer support specialist; and

“(ii) to an individual who has been diagnosed with—

“(I) a mental disorder; or

“(II) a substance use disorder;

and

“(B) that are designed to assist such individual in achieving recovery, integration in the community, self-empowerment, and self-determination (as specified by the Secretary).

“(2) Peer support specialist.—The term ‘peer support specialist’ means an individual who—

“(A) is recovering from a mental health or substance use condition; and

“(B) is certified as qualified to furnish peer support services under a certification process consistent with the National Practice Guidelines for Peer Supporters and inclusive of the Substance Abuse and Mental Health Services Administration Core Competencies for Peer Workers in Behavioral Health Settings (as established by the State in which such individual furnishes such services or under such certifi-
cation process determined appropriate by the
Secretary of Health and Human Services.”.

(b) Payment.—

(1) Community Mental Health Centers
and Certified Community Behavioral Health
Clinics.—Section 1833(a)(1) of the Social Security
Act (42 U.S.C. 1395l(a)(1)) is amended—

(A) by striking “and” before “(HH)”; and

(B) by inserting before the semicolon: “,
and (II) with respect to peer support services
(as defined in section 1861(nnn)) furnished by
a community mental health center or a certified
community behavioral health clinic, the amount
paid shall be an amount equal to 80 percent of
the lesser of the actual charge for the services
or the amount determined by a fee schedule es-

tablished by the Secretary for the purposes of
this subparagraph”.

(2) Inclusion as RHC and FQHC Services.—
Section 1861(aa)(1)(B) of the Social Security Act
(42 U.S.C. 1395x(aa)(1)(B)) is amended—

(A) by striking “or by a mental” and in-
serting “by a mental”; and

(B) by inserting “or when using a peer
support specialist,” after “subsection (ll)(4)),”.
(c) Exclusion Modification.—Section 1862(a)(1) of the Social Security Act (42 U.S.C. 1395y(a)(1)) is amended—

(1) in subparagraph (O), by striking “and” at the end;

(2) in subparagraph (P), by striking the semi-colon at the end and inserting “, and”; and

(3) by adding at the end the following new sub-
paragraph:

“(Q) in the case of peer support services (as de-
defined in section 1861(nnn)), which are not furnished by a rural health clinic, a Federally qualified health center, a community mental health center, or a cer-
tified community behavioral health clinic;”.