

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Effective
5 and Empowering Recovery Services in Medicare Act of
6 2023”” or the “PEERS Act of 2023”.

1 **SEC. 2. COVERAGE OF PEER SUPPORT SERVICES UNDER**
2 **THE MEDICARE PROGRAM.**

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

5 (1) in subsection (s)(2)—

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

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

10 “(KK) peer support services (as defined in sub-
11 section (nnn)) furnished on or after January 1,
12 2025;” and

13 (2) by adding at the end the following new sub-
14 section:

15 “(nnn) **PEER SUPPORT SERVICES.**—

16 “(1) **PEER SUPPORT SERVICES.**—The term
17 ‘peer support services’ means emotional, informa-
18 tional, instrumental, and affiliational support serv-
19 ices—

20 “(A) furnished—

21 “(i) by a Federally qualified health
22 center, a rural health clinic, a community
23 mental health center, or a certified commu-
24 nity behavioral health clinic (as described
25 in section 223 of the Protecting Access to

1 Medicare Act of 2014), using a peer sup-
2 port specialist; and

3 “(ii) to an individual who has been di-
4 agnosed with—

5 “(I) a mental disorder; or

6 “(II) a substance use disorder;

7 and

8 “(B) that are designed to assist such indi-
9 vidual in achieving recovery, integration in the
10 community, self-empowerment, and self-deter-
11 mination (as specified by the Secretary).

12 “(2) PEER SUPPORT SPECIALIST.—The term
13 ‘peer support specialist’ means an individual who—

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

16 “(B) is certified as qualified to furnish
17 peer support services under a certification proc-
18 ess consistent with the National Practice Guide-
19 lines for Peer Supporters and inclusive of the
20 Substance Abuse and Mental Health Services
21 Administration Core Competencies for Peer
22 Workers in Behavioral Health Settings (as es-
23 tablished by the State in which such individual
24 furnishes such services or under such certifi-

1 cation process determined appropriate by the
2 Secretary of Health and Human Services.”.

3 (b) PAYMENT.—

4 (1) COMMUNITY MENTAL HEALTH CENTERS
5 AND CERTIFIED COMMUNITY BEHAVIORAL HEALTH
6 CLINICS.—Section 1833(a)(1) of the Social Security
7 Act (42 U.S.C. 1395l(a)(1)) is amended—

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

9 (B) by inserting before the semicolon: “,
10 and (II) with respect to peer support services
11 (as defined in section 1861(nnn)) furnished by
12 a community mental health center or a certified
13 community behavioral health clinic, the amount
14 paid shall be an amount equal to 80 percent of
15 the lesser of the actual charge for the services
16 or the amount determined by a fee schedule es-
17 tablished by the Secretary for the purposes of
18 this subparagraph”.

19 (2) INCLUSION AS RHC AND FQHC SERVICES.—
20 Section 1861(aa)(1)(B) of the Social Security Act
21 (42 U.S.C. 1395x(aa)(1)(B)) is amended—

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

24 (B) by inserting “or when using a peer
25 support specialist,” after “subsection (ll)(4)),”.

1 (c) EXCLUSION MODIFICATION.—Section 1862(a)(1)
2 of the Social Security Act (42 U.S.C. 1395y(a)(1)) is
3 amended—

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

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

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

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