

» LAAC UPDATES – AUGUST 2016

The LAAC provides periodic updates to inform members about recent advocacy efforts and to request input from members about their advocacy needs.

CMS Proposed Billing Change for Cognitively Impaired Medicare Patients

CMS has proposed a [new billing G code](#) (temporary code GPPP6) for the evaluation and treatment planning services for Medicare patients with a cognitive impairment (i.e., dementia), which would take effect January 1, 2016. This proposed code will reimburse providers who meet a stated set of criteria that includes medical decision making of moderate or high complexity (defined by the E&M guidelines) and medication reconciliation requirements. As such, these criteria will serve to exclude psychologists' ability to bill under this code. The APA Practice Organization (APAPO) sent an official comment [letter](#) to Administrator Slavitt at CMS in response to these concerns and also disseminated an [Action Alert](#) urging members of the psychological community to submit their own comments regarding the CMS proposed rule change. Please see the abovementioned Action Alert for further instructions on how to get involved in this important matter. **Of note, the deadline to submit your comments to CMS is at 5:00pm on September 6, 2016.**

Texas Sunset License Board Review

Every 12 years the Texas State Legislature performs a Sunset Review, which decides if (a) a licensing board should continue to exist and (b) operate as it currently does. The Texas State Board of Examiners of Psychologists (TSBEP) is presently under Sunset review; however, the officials overseeing this process (Sunset Commission Staff) have indicated they will make a number of concerning recommendations, which are as follows:

- To partially consolidate TSBEP with other agencies
- To remove the requirement for postdoctoral training to obtain Texas licensure
- To call into question the proposed changes to the definition of "psychologist" in Texas regarding the ability to diagnose patients
- To allow masters-level LSSPs to work independently (unsupervised) in private schools in Texas

The Sunset Commission Staff are currently in the process of drafting their recommendations, which will be submitted to the legislature on November 1, 2016. Therefore, we need YOUR IMMEDIATE help by sending a letter to the Staff. Please see the [Action Alert](#) for more information on this issue and instructions to communicate your concerns.

Texas Definition of Psychologist

A proposed draft revision to Section 501.003 of the Texas Psychologists Licensing Act (Tex. Occ. Code §501.001 to §501.505) did not include key concepts critical to the statutory definition of a psychologist. For instance, the proposed revision did not make specific mention about psychological/neuropsychological testing and assessment, diagnosis and treatment of various emotional, physical, and cognitive disorders, or the supervision of trainees. The Texas State Board of Examiners of Psychologists (TSBEP) sought public comment on the Sec. 501.003 of the Texas Psychologists Licensing Act and the NAN supported TSBP's efforts through an [official letter](#). Please visit the [TSBP website](#) for more information about this issue.

Department of Justice (DOJ) Guidelines on Testing Accommodations

The DOJ Guidelines on Testing Accommodations released in September of 2015 included less burdensome requirements for students with disabilities to obtain testing accommodations. While decreasing burden on the applicants is certainly important, maintaining the validity and fairness of the testing accommodations process is of significant priority. For instance, some principles outlined in the DOJ [Technical Assistance](#) document are not supported by clinical experience and empirical evidence, which may lead to establishing inappropriate or unnecessary accommodations for applicants. This can lead to unhelpful accommodations for some and unfairness to other test takers. The Inter Organizational Practice Committee (IOPC) submitted an [official letter](#) to Ms. Vanita Gupta, Principal Deputy Assistant Attorney General in order to address the concerns raised by the current DOJ Guidelines on Testing Accommodations. Please stay tuned for more updates on this important matter.