

# FINAL BILL REPORT

## SB 5228

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Synopsis as Enacted

**Brief Description:** Providing occupational therapy services for persons with behavioral health disorders.

**Sponsors:** Senators Dhingra, Hunt, Keiser, Lovelett, Lovick, Nguyen, Valdez and Wilson, C..

**Senate Committee on Health & Long Term Care**  
**Senate Committee on Ways & Means**  
**House Committee on Health Care & Wellness**  
**House Committee on Appropriations**

**Background:** Public Behavioral Health Services. The state funds behavioral health services in Washington through the Medicaid program, by including behavioral health services as a mandatory benefit, and through behavioral health administrative services organizations (BHASOs), which within appropriated funding, provide behavioral health services which either are not covered by the Medicaid program, or provide covered services who do not qualify for Medicaid coverage. Medicaid services for nontribal enrollees are administered by managed care organizations (MCOs), which are risk-bearing entities that contract with the state to provide services to covered individuals within regional service areas.

The State Medicaid Plan. The State Medicaid Plan (state plan) is a document negotiated between the state and federal government to define the services available to Medicaid enrollees. Under the state plan medically necessary occupational therapy services are covered subject to limitations as part of:

- home health services;
- medical and remedial care services;
- habilitative therapy services;
- early and periodic screening, diagnosis, and treatment;
- school-based health care services to a child with a disability;
- hospice care; and
- speech, hearing, and language disorder services.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Coverage for occupational therapy services is not listed under rehabilitative services, the section of the state plan that defines the benefit package available to clients of licensed or certified behavioral health agencies (BHAs).

Occupational Therapy. Occupational therapy is a form of therapy for those recuperating from physical or mental illness that encourages rehabilitation through performance of activities required in daily life. Occupational therapists (OTs) are rehabilitative practitioners with master's degree level training in psychology, functional anatomy, neurology, and kinesiology whose goal is to facilitate participation in preferred or necessary daily activities. OTs work in a consultative, short-term capacity with clients.

**Summary:** Managed care organizations and BHASOs may provide occupational therapy services to persons with behavioral health disorders who are enrolled in the Medicaid program, or who qualify for BHASO services.

The Health Care Authority must expand coverage in the state Medicaid program to ensure that licensed or certified behavioral health agencies are reimbursed by managed care organizations for the medically necessary occupational therapy needs of their clients.

**Votes on Final Passage:**

Senate	48	0
House	97	0

**Effective:** July 23, 2023