

CICO Zoom November 2022

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Overall Outline

Q & A

- Break every few minutes

CEs and Renewals

<https://www.imhca.org/ces-required>

Licensure Rule / Law Changes

- Advocating for counselors – JOIN
 - [Proposed Counselor Licensure Rules](#)
 - 60 credit hours by...
 - CE requirements
 - Ethics
 - Supervision
 - Fees
 - [Counselor License Fees Comparison](#)

New Laws / Rules

No Surprises Act – This is a federal rule change in effect now. IMHCA offers a Webinar to help counselors understand it. It **ONLY** applies to **uninsured and self-pay** clients. Beginning January 1, 2022, psychologists and other health care providers will be required by law to give **uninsured and self-pay patients** a good faith estimate of costs for services that they offer, when scheduling care or when the patient requests an estimate.

There are efforts, petitions etc. to stop compliance. [ACA](#), [AMHCA](#), [APA](#) and others. We support those efforts. I would not expect results from these efforts to happen soon. Federal rules / laws and the Federal Government moves slowly.

<https://www.imhca.org/store-non-members>

Medicare billing for LCPCs

[HR432](#) (97 co-sponsors) and [S828](#) (32 co-sponsors) Federal proposed law. No significant legislative progress. Federal law. Federal funded.

Rule change “Incident To” For many years Medicare Rules Allowed Payment to LCPCs if they Are Employed by a Psychiatrist Under “Incident To” if the MD is on the premises. A recent rule change occurred under CMS. Proposed Rule for Calendar Year (CY) 2023 (CMS-1770-P) and specifically on the Centers for Medicare & Medicaid Services’ (CMS) proposal to increase flexibilities for Medicare-eligible mental health practitioners to use services provided by LCPCs. ACA supported the rule change to allow “Incident To” billing when the Staff MD is not on premises.

<https://www.federalregister.gov/documents/2022/07/29/2022-14562/medicare-and-medicaid-programs-cy-2023-payment-policies-under-the-physician-fee-schedule-and-other>

Medicaid Billing for LCPCs

This is effect in Illinois for LCPCs. State Law. State funded. IMHCA offers an online seminar. LCPC can bill directly when treating Medicaid eligible clients.

LCPC=LPHA

[Billing Rates](#)

Telehealth

Not new

If a LCPC is licensed in Illinois and the client is physically in Illinois there is no problem. The LCPC does not need to be in Illinois. The client does. If the client is in another state you will need to comply with the rules of that state. Providing services and getting reimbursed by a third party are tow separate issues.

[Public Act 102-0104](#) requires insurance reimbursement for telehealth services.

[\(225 ILCS 150/\) Telehealth Act.](#) eff. 1-1-18

Restoration of inactive or expired license of 5 years or less requirements are suspended. [PA 102-0699 expires 1/1/2028](#)

[IDFPR Announcement](#)

Parental Notification of abortion repealed in Illinois.

The repeal took effect June 1, 2022.

Red Flag Law

Not new -

FOID law on LCPC mandated reporting for clients at risk.

[Clear and present danger definition.](#) (2013 law)

<https://www.imhca.org/FOID>

Counselor Compact / Reciprocity

Counselor licensure portability has been a goal for many years.

Currently several national organizations including AMHCA, and ACA have contracted with a Licensing Compact Company to achieve this goal. Illinois and ICA and IMHCA and CICO supports these efforts. [17 states](#) have passed the required legislation.

It is NOT operational.

To be part of the current compact efforts a state must have specific minimum requirements in the licensure laws and rules.

Some of the more significant requirements are:

- Home State requires a 60-credit hour degree in counseling or a related field.
- Pass an FBI fingerprint-based criminal background check.

There are other requirements, but Illinois law / rules do not currently comply with these two items.

We are working on Illinois legislation. We anticipate introducing legislation next year.

We have also been advocating with IDFPR to speed up the transition to a 60-credit hour degree requirement. We will soon be contacting all of you to advocate for this.

The Compact Commission held its first meeting Oct 26, 2022.

- They established [bylaws](#)
- Elected officers
- [17 states](#) have passed legislation to join
 - [State reps](#) must be from the state licensure board or state employee, several are, some reps are counselors
- Next
 - Hire Executive Director
 - Hire Secretariat
 - Contract an Association Management Company

- Establish committees
- Finances / Fees
- Create a system, rules, process, software for tracking counselors, home state issues
- Challenges
 - Differences in state laws especially concerning abortion counseling and gender change counseling.
 - CACREP vs equivalent degrees / training
 - Finances
- No one can practice in another state yet. The anticipated start of a Counseling Commission with reciprocity is late 2023 or early 2024.