

ISSUE BRIEF

Advocating for LMHC Independent Practice under TRICARE

- For years, LMHCs have been able to see TRICARE beneficiaries, which includes active duty military personnel and their families, upon the conditions of receiving “supervision and referral” from a physician.
- A 2008 Department of Defense (DoD) authorization bill, § 717(b) of Public Law 110-181, asked the Secretary of Defense to enter into a contract with the Institute of Medicine (IOM) of the National Academy of Sciences for the purpose of:
 - Conducting an independent study of the credentials, preparation, and training of individuals practicing as licensed mental health counselors; and
 - Making recommendations for permitting licensed mental health counselors to practice independently under the TRICARE program.
- The IOM panel’s charge included:
 - “Conclusions and recommendations for permitting LMHCs to practice independently under TRICARE, paying particular attention to the preparedness of LMHCs to diagnose, treat, and appropriately refer persons with disorders of particular importance to TRICARE beneficiaries.”
 - “Any recommendations regarding limitations to practice independently with respect to DoD beneficiaries.”
- After a year-long study of the LMHC profession, an IOM panel comprised of some of the country’s leading psychiatrists, social workers, and mental health counselors issued the following recommendation:
 - 1) Independent practice of LMHCs under TRICARE where their circumstances of education, licensure, and clinical experience have prepared them to diagnose, and where appropriate, treat conditions in the beneficiary population.

The IOM appreciated the following circumstances:

- A master’s degree or higher-level degree in counseling from a clinical mental health counseling program accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP).
- A state license in mental health counseling at the “clinical” or highest level available in states with tiered licensing schemes.
- Passage of the National Clinical Mental Health Counseling Examination (NCMHCE)
- A well-defined scope of practice for practitioners.

* Representative Thomas J. Rooney has introduced, The CARES Act, H.R. 3839, in association with Representative Mike McMahon. If enacted, H.R. 3839 would strip TRICARE of its LMHC “supervision and referral” requirement.

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