



ISSUE BRIEF

VETERANS' ACCESS TO MENTAL HEALTH COUNSELORS

Passage of PL 109-461

On December 22, 2006, President George W. Bush signed into law Public Law 109-461, the "Veterans Benefits, Healthcare, and Information Technology Act of 2006." Section 201 of PL 109-461 expands Department of Veterans Affairs mental health providers to include licensed mental health counselors ("LMHCs") and licensed marriage and family therapists ("LMFTs").

Implementation of PL 109-461

More than two years have passed since PL 109-461 was signed into law, expressly recognizing LMHCs and LMFTs as mental health providers in the Veterans Affairs health care system.

Implementation of PL 109-461 is occurring at a glacial pace. Over the past few months, the following events have occurred:

- U.S. House of Representatives' Committee on Veterans Affairs writes letter, with help of AMHCA/ACA/AAMFT coalition, to VA Secretary Shinseki urging the VA to "move quickly" to establish regulations enabling LMHCs' and LMFTs' to "work their full potential within the VA." Committee's letter also emphasizes that federal job classifications for LMHCs and LMFTs should be created to recognize their "status as full-fledged, independent mental health professions."
- Department of Veterans Affairs announces on February 19, 2009 that it has approved the establishment of a new occupational category, or categories, for LMHCs and LMFTs.
 - Federal occupational categories are developed by the Office of Personnel Management (OPM) at the request of government agencies, like the VA.
 - The VA is not presently sure if it will assign LMHCs an occupational category separate from LMFTs.
 - The VA has indicated even with the possibility of two separate occupational categories, LMHCs and LMFTs would each enter the VA system at a pay grade comparable to licensed social workers.
- U.S. House of Representatives' Committee on Veterans Affairs Health Subcommittee met on April 30, 2009 for a hearing on the mental health needs of veterans. Committee member Representative Jerry Moran (KS) inquired about PL 109-461's implementation.
 - Dr. Antonette Zeiss, Ph.D., Deputy Chief Consultant in the Office of Mental Health Services for the Veterans Health Administration of the VA, expressed the agency's support of LMHCs, who already work in VA hospitals and outpatient clinics.
 - The VA has met with the chief national entities representing LMHCs and LMFTs.
 - PL 109-461's implementation, like other congressional initiatives intended to address the needs of 300,000 returning Iraq and Afghanistan veterans with mental disorders, is occurring at a glacial pace. Representative Moran (KS) expressed his desire to expedite the implementation.

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