

SENATE FINANCE COMMITTEE WORKS TO TACKLE YOUTH MENTAL HEALTH CONCERNS

EXECUTIVE SUMMARY

Yesterday, the Senate Finance Committee held a [hearing](#) to discuss mental health challenges facing youth in the U.S. Senators questioned **Dr. Vivek Murthy**, the Surgeon General of the Department of Health and Human Services (HHS). This hearing is intended to be the first in a series to craft and discuss a broader legislative package aimed at addressing mental health bills. The Committee plans to hold a second hearing on this topic on February 15 ([notice](#)). Notably, the House Ways and Means Committee also held a hearing last week ([TRP summary](#)) to discuss the state of services in the U.S. to address mental health and substance use disorders, indicating an interest by Congress to take some legislative action in this space.

During the hearing, Senators discussed ways to expand the mental health care workforce, with Democrats focusing on culturally competent care, and Republicans discussing out-of-state providers and access to care in rural areas. Members also deliberated over school- and community-based solutions to mental health care concerns, with some Senators suggesting expansion of Medicaid to cover in-school providers. Implementing and enforcing parity laws between physical and mental health care was also of key concern to several Democrats on the Committee. Republican members spoke about the negative impacts of COVID-19 masking and social distancing policies had on children during the pandemic. Questions were also raised about ways to reduce substance use amongst children.

Senators on both sides of the aisle agreed that expanding telehealth would help improve access to care, though they acknowledged that broadband access remains a hurdle to accessing these services. There was also bipartisan support for social media data transparency to further research its effects on children. Additionally, Committee members engaged in conversation regarding increased access to mental health services and mechanisms to implement preventative care.

OPENING STATEMENTS

Chair Ron Wyden (D-OR) ([statement](#)) said that addiction, isolation, the COVID-19 pandemic, and other stressors are impacting children's mental health. Wait lists for psychiatrists and in-patient beds — as well as insurance parity between physical and mental health — were amongst his chief concerns in addressing mental health care for kids. Chair Wyden touted the importance of the Committee's jurisdiction over CHIP and Medicaid. He said that "several" Committee members will work to create a bipartisan package ([press release](#)), including:

- **Sens. Tom Carper (D-DE) and Bill Cassidy (R-LA)** improving access to behavioral health care for children and young people;
- **Sens. Debbie Stabenow (D-MI) and Steve Daines (R-MT)** strengthening the provider workforce;
- **Sens. Catherine Cortez Masto (D-NV) and John Cornyn (R-TX)** increasing integration and care coordination;
- **Sens. Michael Bennet (D-CO) and Richard Burr (R-NC)** ensuring parity between behavioral and physical health care; and
- **Sens. Ben Cardin (D-MD) and John Thune (R-SD)** furthering the use of telehealth.

He wrapped up by praising **Sen. Tim Scott (R-SC)** on his work to [fund](#) the Crisis Assistance Helping Out On The Streets Act (CAHOOTS) Act ([H.R. 1914](#)).

Ranking Member Mike Crapo (R-ID) ([statement](#)) focused on the impact of COVID-19 restrictions on children’s mental health. He said that access and treatment solutions are critical and supported “targeted, consensus driven, fiscally responsible” policies to be included in a bipartisan mental health package. Fully paying for all provisions — without harming economic growth — were key for Ranking Member Crapo. He said that the Creating High-Quality Results and Outcomes Necessary to Improve Chronic (CHRONIC) Care Act of 2017 ([S. 870](#)) and the Safe Environment from Countries Under Repression and Emergency (SECURE) Act ([S. 306](#)) are “prime” examples of “fiscally appropriate” mental health bills.

WITNESS TESTIMONY

Dr. Vivek Murthy ([testimony](#)), Surgeon General of HHS, was concerned that “unprecedented” challenges facing today’s youth are driven by social media, LGBTQIA+ rights, gun violence, climate change, and the COVID-19 pandemic. He elaborated on the duality of social media, though isolation was a key theme in his testimony. Dr. Murthy said that stigma surrounding these factors perpetuates feelings of isolation and shame.

Depression, anxiety, and behavioral challenges have been on the rise for several years, according to Dr. Murthy, as he explained that the U.S. fails to address mental health care integration into primary care, the mental health care workforce, and other preventative measures. He promoted his [Advisory on Youth Mental Health Crisis](#) ([press release](#)) and reiterated four recommendations from this report: (1) ensuring access to health care; (2) focusing on prevention efforts in schools; (3) understanding and providing oversight of technology and social media; and (4) bolster community engagement.

DISCUSSION AND QUESTIONS

Mental Health Care Workforce

- **Sens. Ben Cardin (D-MD) and Bob Menendez (D-NJ)** voiced concerns regarding the mental health care workforce in underserved communities, and Sen. Cardin inquired about ways to

engage Historically Black Colleges and Universities (HBCU) and Minority Serving Institutions (MSI). Dr. Murthy strongly supported Sen. Cardin's sentiments, noting that substance use disorder (SUD) treatment has "especially disparate" impacts on marginalized communities. He suggested loan forgiveness programs and bolstering workforce recruitment efforts.

- Dr. Murthy explained to **Sen. Elizabeth Warren (D-MA)** that he included child care in his Advisory on the Youth Mental Health Crisis because parental stressors have a "substantial" impact on their children. In response to additional questions from Sen. Warren, Dr. Murthy explained that, without suitable wages, child care professionals cannot provide high-quality services. He also enthusiastically supported the Building Child Care for a Better Future Act ([S.1842](#)).

Telehealth for Mental Health Care

- In response to Ranking Member Crapo and Sen. Thune, Dr. Murthy encouraged the use of technology for health care delivery, noting that telehealth for mental health care has "tremendous promise." However, he drew attention to broadband inadequacy, inadequate reimbursement from private payers, and the importance of Health Insurance Portability and Accountability Act of 1996 (HIPAA) compliance.
- Sen. Cardin asserted that telehealth is more cost effective than in-person care, and Dr. Murthy generally agreed. Specifically, Dr. Murthy noted that physicians often have patients come into the doctor's office to deliver lab results instead of sharing results over the phone. Chair Wyden added that communities still lack broadband and said that constituents have requested coverage for audio-only coverage while broadband capacity is being stood up.

School- and Community- Based Mental Health Care

- Sen. Stabenow elaborated on the need for school-based health centers to focus on addiction and mental health, calling the programs "absolutely essential." She pointed out that the Senate Labor-HHS appropriations bill for fiscal year (FY) 2022 ([bill](#); [report](#); [summary](#)) currently includes \$60 million for these services. Dr. Murthy agreed that these services are "so important" and stressed the importance of bringing care to children where they are.
- In response to Sen. Stabenow's support of certified community behavioral health clinics (CCBHC), Dr. Murthy concurred with her assessment and said that community-based treatments can be combined with virtual services to promote evidence-based care. Sen. Stabenow advocated for passage of the Excellence in Mental Health and Addiction Treatment Act of 2021 ([S. 2069](#); [press release](#)) which would promote access to community mental health services and CCBHCs.
- **Sen. Maggie Hassan (D-NH)** was concerned that teachers do not have enough resources to address mental health and SUD crises in schools. Dr. Murthy agreed, comparing health care providers to teachers in respect to burnout effects of the pandemic. He said that the workload for teachers needs to be more manageable and that teachers should be provided with mental health care.
- **Sen. Sherrod Brown (D-OH)** spoke in favor of his Full-Service Community School Expansion Act of 2021 ([S. 385](#)) to connect schools with community partners in tackling mental health issues. Dr. Murthy supported the legislation and noted that the Centers for Medicare and

Medicaid Services (CMS) has an interest in initiating more Medicaid-covered mental health services in schools. However, he explained that such an expansion of services would require states to free up additional funding.

- Sen. Bennet echoed support for these policies. He asked about Medicaid plans making amendments to cover school-based services and CMS providing guidance to states on ways to go about implementing these changes. Dr. Murthy agreed that states would need technical assistance to implement these coverage changes and highlighted the importance of allowing all students — not just those with Individualized Educational Plan (IEP) — to benefit from Medicaid coverage of services in schools.

Mental Health & Social Media

- Sens. Stabenow and Hassan were concerned about the negative impact of social media on children's mental health. Specifically, Sen. Hassan asked about ways to improve research surrounding social media's influence on mental health. Dr. Murthy noted that independent researchers want to review this data, but encouraged safety standards for social media.
- Sen. Thune promoted his Platform Accountability and Transparency (PACT) Act ([S.797](#); [press release](#)) with **Sen. Brian Schatz (D-HI)**, to which Dr. Murthy added that data transparency and accountability can help regulators and parents understand the impact of social media algorithms and make informed decisions for children. Chair Wyden chimed in and endorsed his recently-introduced Algorithmic Accountability Act of 2022 ([S. 3572](#); [press release](#)).
- **Sen. Mark Warner (D-VA)** promoted his Deceptive Experiences To Online Users Reduction (DETOUR) Act ([S. 3330](#)) to prohibit use of “dark patterns” in social media and using “manipulative” features for children. Dr. Murthy said that regulations would require investigation and new safety standards for kids online.

Mental Health Parity

- In response to Chair Wyden's question regarding mental health care parity, Dr. Murthy highlighted HHS' Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) [report](#) ([press release](#); [fact sheet](#)) and stressed the need to hold insurance companies accountable.
- At Chair Wyden's request, Dr. Murthy elaborated on the statistic that there is an 11-year gap between the onset of mental health challenges in children and receiving treatment. Dr. Murthy framed this concern as a health care parity issue, comparing the gap to physical health care.
- Sen. Menendez promoted his Pursuing Equity in Mental Health Act ([S.1795](#)), to which Dr. Murthy supported the bill's focus on culturally competent care and work to destigmatize mental health care in marginalized communities.
- Sen. Bennet advocated for reimbursement parity amongst Medicaid and Medicare plans, as well as private plans. Dr. Murthy concurred that reimbursement rates are “low and inconsistent,” suggesting that efforts also focus on training more providers.

Impacts of COVID-19 on Mental Health

- Sens. Thune and Daines was skeptical about mask mandates for children and their impact on children's mental health. Dr. Murthy said that states and localities should tailor policies to the

health needs within a community. He added that lessons learned from the pandemic include using a “scalpel, not a blunt axe” perspective when implementing regulations that impact children.

- Sen. Cassidy raised similar concerns regarding school closures and masking mandates, to which Dr. Murthy assured him that a “substantial” majority of schools are currently in person. Sen. Cassidy pushed for an answer regarding plans for future school closures should another variant emerge, but Dr. Murthy insisted that factors considered for at-home learning were “nuanced.”
- Sens. Warner, Menendez, and **James Lankford (R-OK)** drew attention to children losing a parent to COVID-19, though Sen. Lankford was concerned that child bereavement issues would no longer be a point of focus after the pandemic. Dr. Murthy emphasized the availability of federal funds for foster care services, though he stressed that community support and school-based counselors should be prioritized as solutions. Sen. Lankford added that nearly half of children who lose their parents are not getting the Social Security benefits to which they are entitled.

Improving Access to Mental Health Care Services

- **Sen. Chuck Grassley (R-IA)** promoted the Accelerating Kids’ Access to Care Act ([S.1544](#)) to “cut red tape” and help children access out-of-state mental health care providers. Dr. Murthy supported the concept and said that many of the pandemic flexibilities in this realm should continue.
- Sen. Grassley was concerned about mental health care for children in rural areas, noting that primary care and mental health care integration would be beneficial, and Dr. Murthy agreed with the sentiments. He added that programs including the 988 hotline and crisis text lines help to reduce disparities in access.
- Sen. Hassan said that parents and children are experiencing long wait times for remote and in-person mental health care programs, to which Dr. Murthy said that reimbursement parity would help remedy these issues. Prevention efforts to mitigate the issue would also be beneficial, he said.
- Sen. Menendez offered support for the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program particularly as it pertains to additional support for foster youth. Dr. Murthy characterized the program as “essential,” though he noted that people are not always aware of its existence nor ways in which to implement the program.

Mental Health Care Prevention Efforts

- In a discussion with Sen. Carper, Dr. Murthy agreed that attention should shift from treatment to prevention. Dr. Murthy promoted programs and supports that he said are often underfunded and underappreciated, such as the [Family Checkup Program](#) and the [Nurse Family Partnership](#). Sen. Carper also touched on alternative education programs, including through churches and other community organizations.
- **Sen. Rob Portman (R-OH)** asked about ways to reduce drug use as a means to improve mental health in children, voicing his support for the Drug Free Communities ([DFC](#)) Program. Dr. Murthy said that prevention programs are key to reducing SUD and are “very cost

effective.” The Surgeon General advocated for additional funding and technical assistance for these programs.

- Sen. Cassidy was concerned that Medicaid Transformed Medicaid Statistical Information System (T-MSIS) data on mental health services was inadequate and called for better compliance with data standards. Dr. Murthy and Chair Wyden both agreed that poor data is a substantial issue. Specifically, Chair Wyden said that Finance Committee staff will follow up on this concern. He stressed that as the Committee looks to eventually source more revenue for projects, high-quality data is a necessity.
- Sen. Cortez Masto asked Dr. Murthy how HHS plans to share his Advisory on the Youth Mental Health Crisis with those who need it, to which he said that HHS is collaborating with interdepartmental agencies, as well as the Department of Education, to outline next steps. He added that HHS will publish a report on the Advisory on the Youth Mental Health Crisis and that HHS Secretary Xavier Becerra is looking to create a behavioral health coordinating council.
- Sen. Casey advocated for his Freedoms for America’s Children Act ([S.3088](#)), which includes a series of child care-focused policies including: (1) additional funding for Head Start; (2) increased mandatory funding for child care; and (3) enhancing the Child and Dependent Care Tax Credit, among others.