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2-18-2005

### 2005-02-18 PCA Government Relations Committee Report

Pennsylvania Counseling Association

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## **PCA Government Relations Committee Report**

for February 18, 2005

Submitted by: Lauren Sonnenberg, Chair, Government Relations, 2004-2005

### Activity since October 29, 2004

1) Cmte Chair attended PACP meeting in Carlisle on 11/5/04. Morgan Plant reported that the last attempt to gain privileged communication for LPCs was voted down. Medicaid coverage for LPCs and MFTs and best approach was discussed as well as the importance of both groups growing a potential supervisors list (because if there is no one available to supervise potential LPCs or if eligible supervisor-LPCs are difficult to locate, eventually there will be no one with the LPC credential). PACP is developing a survey that reaches out to PCA, PAMFT, and PARP memberships that includes questions such as what attracted them to become members and would they be interested in being listed as supervisors for their particular credential. Next meeting is 3/4/05.

2) Held 2 Cmte teleconferencing meetings (11/24/04 and 1/5/05). At the first meeting it was decided that a letter would be drafted to be sent to all LPCs in the state, since one of our biggest problems in terms of legislative clout is that our membership is so low. Also, new list of LPCs was purchased in order to get latest address list of LPCs in PA. Draft I of the letter has already been composed. Draft II is being worked on and will be shared with the Membership Cmte prior to sending out. Student help has been drafted to help prepare the mailing. PCA will just need to cover postage and paper. Intended deadline for completion of mailing is 4/1/05.

3) On 11/21/04, emailed Morgan Plant re: our exclusion from HB 2036 [An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for mental health care declarations and powers of attorney; further providing for the prudent investor rule; and repealing provisions relating to the applicability of requirements for charitable trusts with controlling interests in certain corporations.]. Morgan replied with apologies as this was something she had overlooked; however, the entire Cmte did not think that having power of attorney, as mental health counselors, was necessarily desirable.

4) SB137 ("Age of Consent Law") was passed in the Senate, sponsored by Sen. Harold Mowery (R-Cumberland, York), establishes consent guidelines for medical treatment of minors. The bill covers consent for mental health examinations. The ability for a minor to consent varies depending on the type of treatment involved. Minors over the age of 14 can consent to outpatient treatment while in most other instances involving mental health treatment requires parental consent. Received an email from Morgan Plant re: a 1/5/05 meeting re: implementation of SB 137 (Act 147) and tried to recruit feedback and/or someone to attend the meeting in order for us to have representation. These efforts were

unsuccessful.

Training pertaining to this new law, a daylong *Changes and Challenges* workshop, is planned for:

Date: Tuesday, April 5  
Time: 9:30 AM until 4 PM  
Location: Holiday Inn, Grantville  
Cost: \$100 for PCPA members (lunch and materials included)  
\$175 for non-members (lunch and materials included)

Registration material will be sent out during the next week and will also be available through the PCPA website. For more information, contact Connell O'Brien at 717-657-7078 or [connell@paproviders.org](mailto:connell@paproviders.org)

5) On 11/21/04, emailed Morgan Plant re: setting up meeting with DPW regarding Medicaid and PHSPCA update. The Cmte is working on recruiting a few people to attend the 3/7/05 meeting with with Joan Erney, Deputy Secretary of the Office of Mental Health and Substance Abuse Services (OMHSAS), at DPW in Harrisburg (with Morgan Plant) as well as getting anecdotal information (re: how LPCs not being able to be providers of Medicaid has been a barrier to care) using the PCA listserv and ACA's listserv to PA mental health counselors. The Cmte is also researching other state's rulings on LPC reimbursement under Medicaid.

6) Forwarded ACA Updates to PCA listserv. On 2/13/05, asked PCA listserv recipients whether or not forwarding ACA Updates was fruitful or was duplication of info they were already receiving. On the majority, commentary reflects that a continuance of forwarding these emails will be beneficial.

7) On 2/12/05, the cmte sent out Proposed Rulemaking on Supervised Clinical Experience to the Exec Board for comment to the State Board due by 3/14/05 (originally forwarded to us via Morgan Plant/PACP). PACP affiliates are reviewing the proposed regulations as well. The proposed regs can be found at [HYPERLINK "http://www.pabulletin.com/secure/data/vol35/35-7/282.html"](http://www.pabulletin.com/secure/data/vol35/35-7/282.html) \o "<http://www.pabulletin.com/secure/data/vol35/35-7/282.html>" <http://www.pabulletin.com/secure/data/vol35/35-7/282.html>.

8) On 12/27/04, Morgan Plant updated PACP re: Medicare's intention to aid smokers with counseling as printed in the PND News Briefs – Philadelphia Metro Edition. Headline Stated "Medicare said it intends to pay for counseling to help some of the nation's 4 million older smokers kick the habit"...

"Medicare beneficiaries who smoke and have smoking-related diseases or take certain medicines will be eligible for Medicare-covered counseling when the proposal takes effect next year, while coverage would begin no later than the end of March, reported the Associated Press. Medicare would pay for up to four counseling sessions and smokers

could get a second round of counseling, the Associated Press.  
Associated Press, December 23, 2004”

HYPERLINK <http://www.chron.com/cs/CDA/printstory.mpl/health/2961970> <http://www.chron.com/cs/CDA/printstory.mpl/health/2961970>.

Morgan’s concern pertained to who would be providing the counseling. The Cmte has not been able to attend to this matter as yet.

Future Activity

- 1) Summarize recent activity for the February 2005 newsletter submission.
- 2) Attend and report on Medicaid meeting at DPW on 3/7/05.
- 3) Complete and send out letter to LPCs promoting membership from the standpoint of increasing legislative clout. Intended completion date: 4/1/05.
- 4) Follow up on status of changing PHSPC Act to include LPCs.
- 5) Investigate Medicare and smoking cessation counseling issue.

Respectfully submitted,  
Lauren Sonnenberg, MA, NCC  
Pennsylvania Counseling Association (PCA)  
Chair, Government Relations Committee

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**From:** listserv@pacounseling.org  
**Subject:** **ACA Key Contact Washington Update**  
**Date:** February 15, 2005 10:14:02 PM EST  
**To:** "Carl Back" <carlback@losch.net>

This message is from the PA Counseling Assoc.:  
Forwarded by PCA Govt Relations Cmte:  
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## Key Contact Washington Update

February 2005

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### President Releases Budget Calling for Tax Cuts, Spending Reductions

President Bush released his fiscal year (FY) 2006 budget proposal on February 7th, spelling out his fiscal priorities and recommendations for Congress to consider in developing its own budget this spring. The President's budget aims to cut the federal deficit now at a record \$427 billion in half over five years, to \$233 billion in 2009. The budget would increase spending on defense and homeland security and calls for hundreds of billions of dollars in tax cuts, offset by deep cuts in spending on health, education, housing, child care, juvenile justice, food stamps, and other programs.

Forty-eight different programs within the U.S. Department of Education including the Elementary and Secondary School Counseling Program (\$34.7 million), the Safe and Drug Free Schools and Communities grants program (\$437.4 million), and Perkins career and technical education grants program (\$1.326 billion) would be eliminated outright. The \$306.5 million GEAR-UP program would be eliminated, and TRIO programs would be reduced from \$836.5 million in funding this year to \$369 million. Aside from programs getting the axe and a few Presidential initiatives, all other Department of Education programs would be frozen at FY 2005 levels or slightly reduced. Overall federal spending on education programs would be reduced by \$530 million, the first time in over a decade that total funding has been cut.

It is unclear how closely Congress will follow the President's lead. While some members of Congress are committed to deficit reduction, others have expressed reservations at the cuts called for. The fate of this summer's appropriations battles will be pre-determined by the outcome of deliberations on Congress's budget targets and the budgetary rules it will choose to live by. Congressional leaders want to adopt a budget resolution sometime in March.

ACA is working within several coalitions to push Congress to adopt a more responsible budget framework. Counselors are encouraged to contact their members of Congress to ask them to reject the President's proposal to cut education, health care, and social services programs, and more specifically, to ask them to maintain funding for the Elementary and Secondary School Counseling Program (ESSCP). For more information, hit the ACA web site at [www.counseling.org](http://www.counseling.org), or contact Chris Campbell (800-347-6647 x241) or Scott Barstow (x234) with ACA's public policy staff.

#### **House & Senate Career and Technical Education Bills Introduced**

Bills have been introduced in both the House and Senate (H.R. 366 / S. 250) to reauthorize the federal career and technical education (CTE) programs under the Carl D. Perkins Act. Lawmakers wanted to introduce the bills before the President released his budget, to make clear they did not endorse ending the programs. Both bills emphasize academic rigor, improved accountability, and increased coordination between secondary and postsecondary programs.

Representative Mike Castle (R-DE.), Chairman of the House Committee on Education and the Workforce's Education Reform Subcommittee, introduced H.R. 366 on January 26th. The bill is fundamentally similar to the bill the committee approved last year. Senator Mike Enzi (R-WY), the new chairman of the Senate Health, Education, Labor and Pensions Committee (HELP), and Senator Edward Kennedy (D-MA), the ranking Democrat on HELP, jointly introduced S. 250.

ACA continues to work both individually and in coalition with the Career and Technical Education (CTE) Coalition on Perkins reauthorization, focusing primarily on raising the profile of school counselors within the statute, and establishing professional development support for counselors using Perkins funds.

**Christopher C. Campbell, M.A. Ed.**

**Government Relations Representative**

**American Counseling Association**