



TO: Governor Kate Brown
FROM: The Coalition of Oregon Professional Associations for Counseling and Therapy (COPACT)
DATE: March 19, 2020
SUBJECT: Counselor and Therapist Small Business Owners – Response to request for special needs and assistance

Dear Joint Special Committee on Coronavirus Response,

Most private counseling and therapy practices in Oregon are sole proprietorships or function with only one administrator or contract employee. Yet, together, these small businesses provide the majority of the mental health services provided in Oregon. The Coalition of Professional Associations of Counselors and Therapists (COPACT) advocates for the 6000 Licensed Professional Counselors (LPCs), Marriage Family Therapists (LMFTs) and Registered Interns who provide clinical mental health diagnosis and treatment to over 100,000 Oregonians each week.

We are responding to your request for feedback from small business owners. Though we have asked for and received feedback from counselors and therapists in Oregon, it is somewhat difficult to fully define the economic consequences of the COVID-19 pandemic at this time, as we do not fully know how we are going to be impacted.

Based on the feedback we have received we have created the following list of Special Circumstances and Possible Solutions:

Special Circumstances for Counselors and Therapists:

- **Sole Proprietorship:** Because counselors and therapists are typically sole proprietors, we do not have access to business loans or lines of credit to infuse their businesses during times of crisis and we are not eligible for unemployment benefits.
- **Client Cancellations:** Many employer insurance plans did not offer telemental health as one of their benefits prior to the pandemic which resulted in clients canceling treatment altogether due to inability to pay. Other clients are uncomfortable with telemental health, do not understand the technology or are not able to access a private space for treatment.
- **Practices closing:** Counselors with children at home are not able to travel to their office or participate in telemental health sessions from their homes due to privacy issues, while others are sick themselves.
- **Insurance Coverage:** Though most insurance plans have since updated their policies to include telemental health, not all have, and the information from various insurance representatives about what is covered and how it is to be coded has been conflicting, confusing and at times, non-existent. Oregon has multiple insurance providers, and each is instructing us to use a different method for coding and processing claims. It has been difficult to keep up with the changes which could result in multiple denied claims.
- **Insurance Reimbursement:** Insurance reimbursement is often the sole source of income for counselors and therapists. Those of us who have started using a telemental health platform

with our clients have not yet received reimbursement for those claims. The biggest concern is that we will be denied payment due to misinformation, incorrect coding or lack of coverage altogether. In addition, some insurance companies are sending people home or laying off employees. This is likely to result in delayed payment on claims. In short, counselors and therapists are continuing to treat their clients without confirmation that they will be paid for the services they have rendered.

- **High Deductible Plans:** Many Oregonians, especially counselors and therapists, have high deductible insurance plans and are not able to access health care at all due to still needing to pay down 2020 deductibles.
- **Student Loan Debt:** Many people in the mental health field have student loan payments of up to \$1000/month and will not survive this pandemic without serious hardship.

Possible Solutions:

- **Clarification for Oregon Small Businesses:** Any relief packages for small businesses in Oregon need to specify that they are for *owners of small business* in Oregon rather than *residents of* Oregon as there are many Washington residents who have a private therapy practice in Oregon.
- **Prompt Claims Processing:** Require insurance companies to process and pay all claims made in good faith, including all telehealth claims, without delay by suspending typical audit/review processes and allowing the use of GT or 95 modifiers for telehealth as well as 11 or 02 for place of service CPT codes.
- **Temporarily Suspend Insurance Deductibles:** For the duration of the pandemic, high deductible plans could temporarily suspend deductibles in order to ensure that all Oregonians have access to health care without having to pay out of pocket. Since non-emergency treatment is being suspended, the costs would be lower.
- **Allow all Oregonians to Keep Their Current Healthcare Plan:** Regardless of layoffs, allow all Oregonians to keep their current healthcare plan to ensure access to continuation of mental health care and reduce the number of new Oregon Health Plan applications/claims.
- **Office Lease Payment Moratorium:** All payments associated with office space could be suspended for the duration of the outbreak. It would be helpful if there were a guarantee that counselors and therapists will not be terminated from their lease or evicted due to non-payment, late payment, etc., on their office space.
- **Short Term Disability:** Access to short term disability benefits for counselors or therapists who are unable to work due to COVID-19.
- **Tax Relief:** Automatic extension for filing and paying taxes for all small businesses.
- **Loans and Grants:** Small business loans (grants or lines of credit) offered at 0% interest to all small business owners to reduce layoffs and business closures.
- **Relief from Student Loan Payments:** Suspend all student loan payments for Oregonians.

On behalf of the thousands of counselors and therapists in Oregon, we thank you for considering the suggestions above and request that you keep communication open with COPACT and other mental health groups as we move forward together in the execution of an emergency response plan that prioritizes access to mental health care for all Oregonians.