

Administration Issues Final Mental Health and Substance Use Disorder Parity Rule

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The Departments of Health and Human Services, Labor and the Treasury jointly issued a final rule increasing parity between mental health/substance use disorder benefits and medical/surgical benefits in group and individual health plans.

The final rule issued implements the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act, and ensures that health plans features like co-pays, deductibles and visit limits are generally not more restrictive for mental health/substance abuse disorders benefits than they are for medical/surgical benefits.

The action also includes specific additional consumer protections, such as:

- Ensuring that parity applies to intermediate levels of care received in residential treatment or intensive outpatient settings;
- Clarifying the scope of the transparency required by health plans, including the disclosure rights of plan participants, to ensure compliance with the law;
- Clarifying that parity applies to all plan standards, including geographic limits, facility-type limits and network adequacy; and
- Eliminating the provision that allowed insurance companies to make an exception to parity requirements for certain benefits based on "clinically appropriate standards of care," which clinical experts advised was not necessary and which is confusing and open to potential abuse.

In January, as part of the President and Vice President's plan to reduce gun violence, the Administration committed to finalize this rule as part of a larger effort to increase access to affordable mental health services and reduce the misinformation associated with mental illness. As the President and Vice President have made clear, mental illness should no longer be treated by our society – or covered by insurance companies – differently from other illnesses.

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The Affordable Care Act builds on the Mental Health Parity and Addiction Equity Act and requires coverage of mental health and substance use disorder services as one of ten essential health benefits categories.

Under the essential health benefits rule, individual and small group health plans are required to comply with these parity regulations.

The final Mental Health Parity and Addiction Equity Act rule was developed based on the departments' review of more than 5,400 public comments on the interim final rules issued in 2010.

The final rules may be viewed [here](#). A fact sheet on the rules is available [here](#).

To read the latest "***Frequently Asked Questions on the Federal Mental Health Parity and Addiction Equity Act***," [please click here](#).