

#BreakTheSilence #OnTheTable2017

MAY IS MENTAL HEALTH MONTH



on the table.
THE CHICAGO COMMUNITY TRUST

LET'S PUT
MENTAL HEALTH
AND ADDICTION
ON THE TABLE

Insurance Parity for Mental Health and Addiction

Parity laws at the federal and state level are designed to ensure that health insurance plans **treat individuals with mental health and substance use disorders (MH/SUD) equally and fairly.**ⁱ Unfortunately, despite these laws, insurance plans frequently still charge more and put more restrictions on mental health and substance use disorder benefits than for other medical care.

Key Facts

- The Mental Health Parity & Addiction Equity Act of 2008 (MHPAEA) requires that most health insurance plans that cover MH/SUD from to do so on an **equal basis** with other medical care.
- MHPAEA **prohibits**:
 - Higher copays and other out-of-pocket expenses for MH/SUD benefits than for other medical benefits.
 - More stringent limitations on number of visits or days of coverage for MH/SUD benefits.
 - More restrictive managed-care practices for MH/SUD benefits than for other medical benefits.
- Patients seeking mental health services from private insurers are denied payment at a rate double of those seeking other medical services.ⁱⁱ
- Illinois expands on federal parity laws to cover nearly all types of insurance plans
- Parity laws do not apply to Medicare.

Examples of Potential Parity Law Violationsⁱⁱⁱ:

- Separate deductible for MH/SUD services that isn't part of overall deductible
- Co-pay for MH/SUD is higher than other health services
- Limits on how many days a patient can stay in treatment facility
- Limits on how many times a patient can see MH/SUD provider
- Charged more for MH/SUD prescription medication than prescriptions for other conditions
- Insurance plan requires permission before starting MH/SUD treatment
- Plan requires permission for continued MH/SUD treatment
- A provider believes a certain MH/SUD treatment is necessary, but the insurer requires trying a cheaper option first
- Insurance won't pay for treatment outside of state or region

What is Mental Health and Substance Use Disorder Parity?



Mental health and substance use disorder parity means **comparable insurance coverage** for mental health, substance use disorder and physical health care.

Source: Substance Abuse and Mental Health Services Administration

#parity

hhs.gov/parity

Discussion Questions

- Have you or your family/friends ever felt discriminated against when trying to have MH/SUD treatment paid for by an insurance company?
- Have you been denied treatment for a MH/SUD condition that your medical professional deemed necessary?
- Do you know the MH/SUD policies in your insurance policy?
- Have you ever experienced any of the potential violations of parity law listed above?
- Have you filed a complaint?

What You Can Do

- Educate yourself about what parity actually is
- Find out what your health care plan covers for MH/SUD and know your rights
- Be certain your plan complies with the Mental Health Parity and Addiction Equity Act^{iv}
- Examine the adequacy of your insurance plan's MH/SUD provider network
- File an appeal with the Department Of Insurance if you experience a violation – <https://mc.insurance.illinois.gov/messagecenter.nsf>
- Visit <https://parityregistry.org> and, if you believe you have been discriminated against, register a complaint to provide information that will help shape public policy and influence legislation that will assist individuals with MH/SUD
- Contact your state and federal elected representatives and share your story

About The Kennedy Forum

The Kennedy Forum (www.thekennedyforum.org) works to create a future where all persons are treated with dignity and receive the person-centered mental and physical care and support they need to thrive and achieve their goals; with a health system that fully recognizes that the brain is part of the body. In 2014, a group of local civic leaders came together to form The Kennedy Forum Illinois (www.thekennedyforumillinois.org) to make Illinois a state-based model for change.

REFERENCES

Overview of Illinois Parity Law: <https://paritytrack.org/report/Illinois/Illinois-legislation/>

What is Parity? <https://www.thekennedyforum.org/parity/>

U.S. Department of Labor, *Mental Health Parity & Addiction Equity Act Enforcement Fact Sheet*: <https://www.dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/fact-sheets/fsmhpaaenforcement.pdf>

NAMI, *Out-of-Network, Out-of-Pocket, Out-of-Options: The Unfilled Promise of Parity*, https://www.nami.org/About-NAMI/Publications-Reports/Public-Policy-Reports/Mental-Health-Parity-Network-Adequacy-Findings-Mental_Health_Parity2016.pdf

ⁱ The Kennedy Forum and Scattergood Foundation, Parity Track, <https://paritytrack.org>.

ⁱⁱ NAMI, *A Long Road Ahead: Achieving True Parity in Mental Health and Substance Use Care*, 2015, <https://www.nami.org/About-NAMI/Publications-Reports/Public-Policy-Reports/A-Long-Road-Ahead/2015-ALongRoadAhead.pdf>.

ⁱⁱⁱ The Kennedy Forum and Scattergood Foundation, Parity Track, <https://paritytrack.org/know-your-rights/common-violations/>. While higher co-pays and a separate deductible for MH/SUD are nearly always illegal, the general test for determining other types of parity law violations is whether a treatment restriction put in place for MH/SUD is more stringent than for treatments for other medical conditions.

^{iv} U.S. Department of Labor, *The Mental Health Parity and Addiction Equity Act of 2008 Fact Sheet*, January 29, 2010, <https://www.dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/fact-sheets/fsmhpaa.pdf> and The Kennedy Forum and Scattergood Foundation, Parity Track, <https://paritytrack.org/>.