

A Seat at The Table for Mental Health



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 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

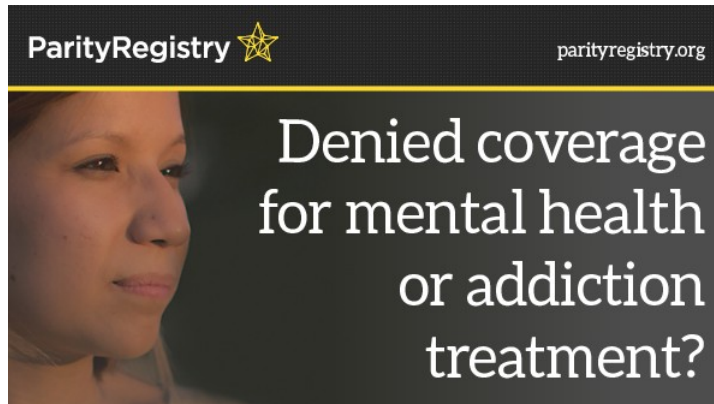
Possible Questions for Discussion

- 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
- Contact your state and federal elected representatives and share your story
- Find resources and file a complaint at <https://ParityRegistry.org>



About The Kennedy Forum

Just as President Kennedy rallied the nation to dream big and set audacious goals 50 years ago, The Kennedy Forum in Illinois is working toward lasting change in the way mental health and addictions are considered and treated. Our mission is to end stigma against mental health and substance use disorders in both attitudes and practice. We believe that strong, bold leadership, strategic collaboration with partners and concerted action, it is possible to build a future with a health system that fully recognizes that the brain is part of the body and all persons are treated with dignity. Join us at www.thekennedyforumillinois.org

RESOURCES

- Overview of Illinois Parity Law: <https://paritytrack.org/report/Illinois/Illinois-legislation/>
- What is Parity? <https://www.thekennedyforum.org/parity/>
- Illinois Providers Report Barriers to Mental Health and Addiction Coverage for Their Patients: https://www.paritytrack.org/issue_briefs/illinois-providers-report-barriers-to-mental-health-and-addiction-coverage-for-their-patients/
- 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/fsmhpaea.pdf> and The Kennedy Forum and Scattergood Foundation, Parity Track, <https://paritytrack.org/>.