



Parity Implementation Coalition

June 6, 2019

The Honorable Lamar Alexander
Chairman
Committee on Health, Education, Labor and Pensions
Washington, D.C. 20510

The Honorable Patty Murray
Ranking Member
Committee on Health, Education, Labor and Pensions
Washington, D.C. 20510
Dear Senators Alexander and Murray,

On behalf of the Parity Implementation Coalition (PIC), we are writing to ask that the Senate Health, Education, Labor and Pensions (HELP) Committee include the bipartisan *Mental Health Parity Compliance Act of 2019* as part of the Committee's consideration of *The Lower Health Care Costs Act of 2019*.

The PIC is a coalition of addiction and mental health consumer and provider organizations. Members include the Depression and Bipolar Support Alliance, Mental Health America, National Alliance on Mental Illness, National Association for Behavioral Healthcare, National Association of Addiction Treatment Providers, and Young People in Recovery. In an effort to end discrimination against individuals and families who seek services for mental health and substance use disorders, many of these organizations have advocated for more than nineteen years in support of parity legislation and issuance of regulations. We are committed to the prompt and effective implementation of the *Mental Health Parity and Addiction Equity Act (MHPAEA)*.

Unfortunately, more than a decade after MHPAEA was enacted, consumers and providers are still experiencing difficulties in accessing equitable substance use and mental health disorder treatment. Health plans and insurers have yet to meet critical requirements of the law that are in place to ensure equality between medical/surgical and mental health/substance use treatment services and patients continue to have trouble determining if their plan is compliant. In the midst of the opioid misuse and overdose and suicide epidemics, the *Mental Health Parity Compliance Act* provides needed requirements for transparency and accountability that will take steps towards ensuring the full implementation of MHPAEA as Congress intended.

Specifically, as introduced by Senators Cassidy and Murphy, the legislation includes important provisions to:

- Require group health plans or insurers to provide comparative analyses about the design and application of nonquantitative treatment limitations (NQTLs) to medical and surgical benefits and mental health and substance use disorder benefits to the Secretaries of Labor, Treasury, and Health and Human Services, upon request.
- Require the Secretaries to request comparative analyses if they have received any consumer complaints about a plan and to select no fewer than 50 plans at random to submit analyses per year.
- Provide states with discretion in requesting the comparative analysis of insurers for individual and group health plans in their respective state.
- Add examples of noncompliance found in the analyses to be added to the biannual compliance

guidance issued under 21st Century Cures.

- Add an annual Report to Congress with redacted versions of the comparative analyses, findings on whether plans are in compliance with parity laws, and any actions the plans should take to submit additional information and/or come into compliance.

Given the important provisions in this legislation to boost transparency, we respectfully ask that the *Mental Health Parity Compliance Act of 2019* be included as part of the Committee's consideration of *The Lower Health Care Costs Act of 2019*. Thank you again for your longstanding commitment to ensuring all Americans can access life-saving mental health and substance use treatment. We look forward to working with you and stand ready to serve as a resource to you and your staffs.

Sincerely,



Mark Covall
Co-Chair
Parity Implementation Coalition



Marvin Ventrell
Co-Chair
Parity Implementation Coalition