

Final Mental Health Parity Rules Released

Article By:

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The Departments of Health and Human Services, Labor, and the Treasury jointly issued a long-awaited [final rule](#) that implements the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA). The final rule decreases the differences between mental health benefits and other medical benefits by requiring most health plans offering benefits for mental health and substance abuse disorders to offer them in the same way as other medical benefits. This means that if a health plan offers mental health benefits, plan features like co-pays, deductibles, and visit limits may not be more restrictive for mental health than they are for other medical benefits.

According to the Center for Information and Insurance Oversight [fact sheet](#), the final rule applies only to large group health plans. However, it is important to note that the Affordable Care Act (ACA) includes mental health as one of the ten essential benefits. As a result, under the essential benefit rules individual and small group health plans will also be required to comply with the final mental health parity rule.

The final rule was developed based on the departments' review of more than 5,400 comments received in response to the interim final rule issued in 2010. As noted in the administration's [press release](#), the final rule also includes specific consumer protections such as ensuring that parity applies to intermediate levels of care received in residential treatment or intensive outpatient settings, geographic limits, facility-type limits, and network adequacy. The final rule also eliminates the provision that allowed health plans to make exceptions to parity requirements based on "clinically appropriate standards of care" and clarifies the scope of transparency required by health plans.

Of note, as of the issuance of this final rule, "the administration has now completed or made significant progress on all 23 executive actions included in the President and Vice President's plan to reduce gun violence." An updated [report](#) on the status of all 23 executive actions is available.

The final rule applies to benefit plan years beginning on or after July 1, 2014.

Bridgette Wiley is a law clerk and also contributed to this article.

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