

# Final Rule Implementing Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act (MHPAEA) Released

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On Friday, Nov. 08, 2013, The U.S. **Departments of Health and Human Services (HHS), Labor and Treasury** issued a final rule implementing the Paul Wellstone and Pete Domenici **Mental Health Parity and Addiction Equity Act (MHPAEA)**. The MHPAEA, originally passed in 1996 as the Mental Health Parity Act of 1996, and amended as MHPAEA in 2008 became effective in 2009 and generally requires large group health plans (plans with over 100 employees) that offer mental health and substance abuse disorder (MH/SAD) coverage to provide that coverage in parity with the medical/surgical benefits provided under the plan. The MHPAEA extended the MHPA's requirements to coverage of substance abuse disorders. In addition, the MHPAEA prohibits additional cost sharing requirements or treatment limitations for MH/SAD benefits, requires out-of-network benefits for MH/SAD when out of network benefits are provided for medical/surgical services, and requires disclosure of standards of medical necessity used in denying coverage for MH/SAD services.

The final rule largely tracks the interim final rule issued in 2009. The rules in large part define the parity required under the statute, and broaden several key concepts contained in the statute. Specifically, the regulation clarifies that the parity applies to intermediate levels of care received in residential treatment or intensive outpatient settings. The final rule makes clear that the parity requirement of the statute apply to all plan standards including geographical limits, facility-type limits and network adequacy. The final rule also defines the scope of transparency required with respect to plan participants to ensure compliance with the MHPAEA. There is also significant discussion in the relevant preamble language with respect to the scope, quality and quantification of parity.

Those wanting more information on the final rule can find the [text of the final rule here](#).

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