

MENTAL HEALTH PARITY

Empower
Idaho

EMPOWER IDAHO

- Working to change the conversation about behavioral health to one of compassion and acceptance.
 - Public Education
 - Awareness Campaigns
 - Advocacy
- Staff:
 - Director, Katrina Hoff
 - Project Manager, Emily Allen
 - Project Coordinator, Anna Guida
- Program of Jannus, Inc
- Statewide based in Boise

AGENDA

- **Introductions (5 min)**
- **Presentation (45 min)**
 - What is parity?
 - History of parity law in US
 - Understanding insurance
 - Parity rights
 - Common violations and resources
 - Update on Idaho parity
 - Resources
- **Group Discussion (10 min)**
- **End**

WHAT IS PARITY?

- Parity: equal to
- *Mental health parity*
 - Insurance benefits for mental health and substance use conditions are equal to coverage of other types of health care
 - Ex. If your plan offers unlimited doctor visits for a chronic condition like diabetes, then it must also offer unlimited visits for a mental health condition such as depression or schizophrenia
- APA-Parity Law

HISTORY OF PARITY IN UNITED STATES

- **1961:** Pres. Kennedy directs Civil Service Commission (now known as the Office of Personnel Management) to implement parity
- **1970s-Present:** Parity laws enacted in many states, mostly for small group health plans
- **1992:** First Federal parity legislation is introduced in Congress
- **1996:** Mental Health Parity Act passed
 - Requires comparable annual and lifetime dollar limits on mental health and medical coverage in large employer-sponsored group health plans
- **1999:** Pres. Clinton directs Office of Personnel Management to implement parity in the Federal Employees Health Benefits Program (FEHBP)
- **2003:** Pres. Bush's New Freedom Commission on Mental Health includes recommendation regarding parity

HISTORY (CONTINUED)

- **2008: Mental Health Parity and Addiction Equity Act (MHPAEA)**
 - Applying to large employer-sponsored plans, effective for most plans starting in 2010, including SUD for first time ever
- **2009: Children's Health Insurance Program (CHIP) Reauthorization Act** included requiring parity in CHIP plans
- **2010: ACA enacted and extends parity protections to individual health insurance policies including qualified health plans offered through Exchanges**
 - Law requires coverage of MH and SUD treatment services as a category of Essential Health Benefits (EHBs), guaranteeing coverage for consumers enrolled in individual and small group market plans
- **2016: TRICARE issues rule requiring equivalent cost sharing between medical-surgical and behavioral health care and eliminates treatment limits for MH and SUD care**

MENTAL HEALTH PARITY AND ADDICTION EQUALITY ACT (MHPAEA)

- Passed in 2008,
- Currently celebrating its 10th Anniversary (more later)
- Federal Law
- Prevents group health plans and health insurance issuers that provide mental health or substance use disorder benefits from imposing less favorable benefit limitations on those benefits than on medical/surgical benefits
 - Ex. If a plan covers as many appointments as needed with an allergist, but only covers 6 appointments with a counselor, this limitation would violate the parity law.

Who enforces parity law?

This is not uniform across the country.
Usually the State.

UNDERSTANDING INSURANCE

- **“How To Access Mental Health Services” handout**

- **Poll**
 - **Employer Insurance:**
 - **Federal:**
 - **State Exchange:**
 - **Medicaid:**
 - **Medicare:**

■ Parity Rights

SO HOW
DOES THE
CONSUMER
BENEFIT?

COMMON PARITY RIGHTS VIOLATIONS

- Separate deductible for behavioral health services that is not part of overall deductible
- Co-pay for BH services is higher than it is for other health services
- Limits on how many times patient can see BH provider
- Limits on how many days patient can stay in a treatment facility
- Charged more for BH prescription medication than for other prescriptions
- Insurance plan often makes patient get their permission to continue BH treatment
- Insurance plan refuses to pay for residential BH treatment that doctor recommends
- Doctor recommends specific BH treatment, but insurer says less expensive treatment option must be tried first
- Insurance plan won't pay for BH treatment outside patient's state or region

IDAHO PARITY VIOLATION RESOURCES

- **Idaho Medicaid Program**
 - Hotline: 877-456-1233 or healthandwelfare.idaho.gov
- **Health Plan Customer Service contact information**
 - Blue Cross, Select Health, PacificSource, etc.
- **Department of Insurance**
 - (208) 334-4250
- **VA or TRICARE Customer Service**

SO, HOW IS IDAHO DOING?

- **December 2017, Milliman Research Report**
 - Reimbursement rates for mental health and SUD treatment providers, through private insurance plans, were far lower than reimbursement rates for other medical providers
 - When insurance plans do not reimburse providers adequately, many choose not to participate in the plan's networks
 - Results in patients being unable to find a provider in-network
- **Key Issues (handout):**
 - How mental health and addiction conditions are defined
 - How mental health and addictions are covered
 - How compliance with the parity law is monitored and enforced
- ***1 in 5 adults with mental illness are uninsured!***

WHY IS PARITY SO IMPORTANT RIGHT NOW?

1. Increasing suicide rates

1. Opioid use

Also Idaho specific: too many people are uninsured

TOP PARITY RESOURCES

- **Substance Abuse and Mental Health Services Administration (SAMHSA)**
 - samhsa.gov
- **National Council for Behavioral Health**
 - thenationalcouncil.org
- **The Kennedy Forum**
 - thekennedyforum.org
- **ParityTrack**
 - paritytrack.org
 - A central location to “track legislation, regulatory, and legal parity activities in all 50 states and at the Federal level to monitor implementation and best practices”

The background consists of several overlapping geometric shapes. On the left, there are two shades of orange: a darker one at the top and a lighter one below it, separated by a diagonal line. On the right, there are two shades of grey, also separated by a diagonal line. The word "QUESTIONS?" is centered in the white space between the orange and grey areas.

QUESTIONS?

CONTACT

- Emily Allen
- eallen@jannus.org
- (208) 947-4288
- empoweridaho.org