



September 7, 2016

TO: Members, Subcommittee on Health

FROM: Committee Majority Staff

RE: Legislative Hearing entitled “An Examination of Federal Mental Health Parity Laws and Regulations”

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## **I. INTRODUCTION**

On September 9, 2016, at 9:00 a.m. in 2322 Rayburn House Office Building, the Subcommittee on Health will hold a hearing entitled “An Examination of Federal Mental Health Parity Laws and Regulations.”

## **II. WITNESSES**

The Subcommittee will hear from the following witnesses:

- Michael A. Trangle, M.D., Senior Medical Director, Behavioral Health Division, HealthPartners Medical Group;
- Pamela Greenberg, MPP, President and CEO, Association for Behavioral Health and Wellness; and
- Matt Selig, Executive Director, Health Law Advocates, Inc.

## **III. BACKGROUND**

On June 14, 2016, the Energy and Commerce Committee favorably reported H.R. 2646, the Helping Families in Mental Health Crisis Act, by a roll call vote of 53 yeas and 0 nays.<sup>1</sup> This bill, introduced by Rep. Tim Murphy (R-PA) and Rep. Eddie Bernice Johnson (D-TX) on June 4, 2015, aims to provide for a comprehensive overhaul of federal mental health laws.

Title VIII of the legislation offers eight provisions concerning mental health payment parity, such as enhanced compliance guidance and disclosure support.

Today, federal parity primarily centers on two laws: the Mental Health Parity Act of 1996 (MHPA)<sup>2</sup> and the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA).<sup>3</sup> Together, these laws outline the health insurance coverage guidelines that must be met for mental health and substance use disorder services to be equitable to medical

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<sup>1</sup> <http://docs.house.gov/meetings/IF/IF00/20160614/105076/CRPT-114-IF00-Vote002-20160614.pdf>

<sup>2</sup> P.L. 104-204

<sup>3</sup> P.L. 110-343

and surgical services. When an issuer elects to insure mental health and substance use disorder services, they must meet four parity standards with the medical and surgical services the plan covers:

- 1) Annual and aggregate lifetime limits;
- 2) Treatment limitations;
- 3) Financial requirements; and,
- 4) In- and out-of-network covered benefits

Under the Patient Protection and Affordable Care Act (PPACA)<sup>4</sup>, Qualified Health Plans (QHPs) sold on exchanges established by the law, individual market plans, and Medicaid benchmark and benchmark-equivalent plans must meet the standards established by MHPA and MHPAEA.

Of note, the President has created an interagency Mental Health and Substance Use Disorder Parity Task Force in March of 2016 through a Presidential Memorandum.<sup>5</sup>

This hearing will examine Title VIII of the Families in Mental Health Crisis Act, past mental health and substance use disorder parity laws, relevant reporting from the President's task force, and H.R. 4276, the Behavioral Health Coverage Transparency Act of 2015..

#### **IV. STAFF CONTACTS**

If you have any questions regarding this hearing, please contact Adam Buckalew of the Committee staff at (202) 225-2927.

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<sup>4</sup> P.L. 111-148

<sup>5</sup> <https://www.whitehouse.gov/the-press-office/2016/03/29/presidential-memorandum-mental-health-and-substance-use-disorder-parity>.