

Congresswoman Katie Porter Statement for the Record
Energy and Commerce Committee, Subcommittee on Health
Hearing on "High Anxiety and Stress: Legislation to Improve Mental Health During Crisis"
June 30, 2020

I want to thank the Energy and Commerce Committee, and specifically my colleague from California and the Chairwoman of the Subcommittee on Health, Congresswoman Anna Eshoo, for holding a legislative hearing on the coronavirus pandemic and mental health.

This pandemic has exposed weaknesses in our current health care system, including the dire and urgent need for mental health services. As this pandemic separates us from our neighbors, isolates individuals in their homes, devastates families and communities, and traumatizes frontline healthcare providers, rates of depression, anxiety, and substance use disorders are rising. In a recent Kaiser Family Foundation poll, 45% of adults in the United States reported that their mental health has been negatively impacted due to worry and stress over the virus.¹ This hearing could not be more important or more timely.

Mental health care is an essential tool to help those struggling with the consequences of this pandemic. It supports those who are recently unemployed, those who are on the frontlines of this crisis, and those who have been separated from family and friends for indefinite periods of time. But for far too many Americans, mental health services are out of reach. Now, more than ever, it is clear that we cannot wait to act to reduce costs and expand access to mental health services. Passing H.R. 7080, the *Stopping the Mental Health Pandemic Act*, and H.R. 3165, the *Mental Health Parity Compliance Act*, is central to these goals and I thank the Subcommittee for including both of these pieces of legislation in today's hearing.

First, the *Stopping the Mental Health Pandemic Act* would strengthen the efforts of state and local governments, non-profit organizations, and service providers over the next two years to tackle behavioral health needs related to COVID-19. This legislation, included in H.R. 6800, the *Heroes Act*, would support our communities as they work to increase access to affordable mental health services while facing plummeting state and local revenue.

Second, the *Mental Health Parity Compliance Act* would ensure that health insurance plans provide equal coverage for mental and physical health. In 2008, Congress passed the *Mental Health Parity and Addiction Equity Act* to mandate that coverage for mental health care was no more restrictive than insurance coverage for other types of health care. A decade after mental health parity became the law of the land, the evidence is clear: health insurance plans still fail to adequately provide comparable mental health coverage. As a result, patients lack the mental health services they need, even if they have insurance.

The *Mental Health Parity Compliance Act* would close these regulatory gaps to increase mental health access and coverage that Americans were promised for over a decade. Specifically, this bipartisan bill would enable the Secretaries of Health and Human Services and Labor to analyze consumer complaints to

¹ The Implications of COVID-19 for Mental Health and Substance Use, Kaiser Family Foundation, Retrieved at: <https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/>

take action and would require that insurers take a larger role in ensuring that their plans are compliant with the current parity law. As we continue to improve mental health policies in Congress, this bill requires the Secretaries to communicate specific actions that insurance companies must take to remain in compliance, as well as what they must do if they are out of compliance.

Identical legislation has been passed in both red and blue states across the country because it creates a nonpartisan path forward to increasing access to mental health care. Unfortunately, because not all health plans are regulated at the state level, this important legislation only reaches so many beneficiaries. This year, more states are expected to pass virtually identical bills. As such, it is essential that we pass this legislation at the federal level to include health plans regulated federally.

As a parent, as the sister of a frontline health care provider, and as an educator, I am alarmed but sadly unsurprised by the rising rates of mental illnesses in our communities. Without access to critical mental health services, we will lose lives to more than just the coronavirus. The Committee's work today is central to this mission, and I thank you for devoting time to this important issue. I look forward to continuing to work with my colleagues on both sides of the aisle to support our families and friends struggling with their mental health during this difficult time.