



May 9, 2022

The Honorable Frank Pallone, Chair
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Cathy McMorris Rogers
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Pallone and Ranking Member McMorris Rogers:

On behalf of the law enforcement and other public safety members of the Michigan State Employees' Association (MSEA), Local 5, I write in support of the Restoring Hope for Mental Health and Well-Being Act of 2022 (H.R. 7666), and especially Section 321. This provision in your bipartisan bill would block self-insured health plans covering state and local government workers from unilaterally deciding to opt out of mental health parity requirements. The existing federal loophole allows health plans to shift more costs onto law enforcement, corrections officers and other public employee workers and makes it harder for those workers and their families to access the mental health and substance use treatment benefits they need. Closing this federal loophole is important to us.

MSEA, Local 5 members put their lives on the line every day protecting and serving citizens throughout Michigan. We represent employees working in eight (8) public safety classifications across three state departments that include the Michigan State Police, Attorney General's Office, and Department of Natural Resources. These workers provide public safety services that include one or more of the following activities: conducting inspections or investigations designed to detect violations of federal or state statutes, rules, regulations; enforcing these rules, regulations, or statutes; protection of person, buildings, grounds, or natural resources.

Good mental health is just as critical as good physical health for public safety professionals to be effective in keeping our communities safe from crime and violence. Federal law should not allow self-insured health plans covering state and local

government workers to ignore mental health parity requirements. There are far-reaching positive effects in both personal and professional lives when police, corrections and other public safety professionals, such as 911 dispatchers and paramedics, have access to good mental health care benefits. Good health care coverage that not only supports them as they manage the stress and dangers of their difficult jobs, but also their families who serve with them, is critical for public safety officers. Healthy public servants in healthy organizations help ensure safer and stronger communities.

Allowing plans to deny law enforcement, corrections officers and other public employees access to mental health is wrong and unsound policy.

State and local governments with self-insured plans that opt out of the Mental Health Parity and Addiction Equity Act (MHPAEA) elect to discriminate against public service workers and their families. Mental health parity requires health plans to cover mental health and substance use disorder (SUD) benefits as they would any other medical benefits in terms of out-of-pocket costs and procedures like prior authorization or mental necessity determinations. When a family is in crisis, they should be able to get help right away and not go bankrupt to get care. They should have access to services for anxiety, stress, a child with autism, a teen considering suicide, or opioid addiction.

Even if a plan has not yet opted out of mental health parity, the existence of the loophole means they could in the future. Congress must close this loophole that makes it harder for law enforcement and other public safety professionals and their families to access care for their mental health.

MSEA, Local 5 members are proud of the work they do. But the work we do can also take a toll. On a daily basis, our members deal with demanding, dangerous and hazardous situations. This puts them at risk for a host of physical and mental health problems. [Extensive review of research](#) has found that first responders (law enforcement officers, firefighters, emergency medical services (EMS) clinicians and public safety telecommunicators) are at higher risks for depression, PTSD and suicide because of the environments in which they work. Corrections officers too are at greater risk of considering suicide. We owe the men and women who protect us and our communities our gratitude and our best efforts to help them withstand the physical, mental and psychological challenges they endure.

The pandemic destroyed our sense of normalcy. It has taken far too many lives and pushed our nation to the brink of a mental health and addiction crisis. But through it all, America's state and local government workers have answered the call. Putting themselves and their families at risk, they are out there every day keeping our communities healthy and safe. MSEA, Local 5 believes that anyone who works to improve our communities deserves respect. Congress can help show that respect by ensuring that health plans no longer use loopholes to shortchange mental health and

addiction benefits for their workers and dependents. We support passage of the Restoring Hope for Mental Health and Well-Being Act of 2022 because it does close this federal loophole.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Cox', with a stylized, cursive script.

David Cox
Administrator
MSEA, Local 5
AFSCME

cc: The Honorable Debbie Dingell, U.S. House of Representatives
The Honorable Fred Upton, U.S. House of Representatives
The Honorable Tim Walberg, U.S. House of Representatives