

Mental Health Liaison Group

Action Alert

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June 18, 2008

To: Mental Health Liaison Group Members
Parity Supporter Organizations

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Re: Agreement Reached in House-Senate Talks (Parity Alert #63)

We are pleased to announce that the Senate and House negotiators have reached a historic agreement on the terms for a final full mental health parity bill. The compromise is expected to move quickly through both chambers.

From the time that the House passed its version of the parity bill, H.R. 1424, in early March (the Senate passed its version, S. 558, last September), the two chambers have been engaged in intense negotiations to reconcile differences between the two bills.

The final gap between the Senate and House bills was closed as negotiations led to agreement over three key outstanding issues—

- *Preemption.* The House accepted the stronger Senate language, which defers to the current HIPAA standard. This standard is extremely protective of state law, ensuring that stronger state parity and other consumer laws will remain in place.
- *Out-of-Network Services.* The Senate accepted the stronger House language that makes clear that out-of-network mental and substance use disorder services will be provided at parity when a plan provides out-of-network physical health services.
- *Covered Services.* The House agreed to drop mandated coverage for all DSM diagnoses but ensured that all mental health conditions and substance use disorders would be covered by mirroring the standard for mental health under the current federal parity law.

Together, we have worked for the better part of a decade to end mental health and substance use benefits discrimination. This tremendous breakthrough would not have been possible without the tireless perseverance and dedication of national organizations and grassroots activists across the country who have advocated year after year on behalf of patients facing insurance discrimination.

When enacted the new federal parity law will—

- Completely end insurance discrimination against mental health and substance use disorder benefits for over 113 million Americans, requiring full parity coverage with physical health benefits.

- Extend to all aspects of plan coverage, including day/visit limits, dollar limits, coinsurance, copayments, deductibles and out-of-pocket maximums.
- Preserve strong state parity and consumer protection laws while extending parity protection to 82 million more people who cannot be protected by state laws.
- Ensure parity coverage for both in-network and out-of-network services.

We will soon get back to you with further details on the bill and the process ahead. **Congratulations to all of you!**

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Gail Schoenbach
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