

Your Mental Health Coverage: Know Your Rights, Know Your Plan, Take Action

The Law

The Mental Health Parity and Addiction Equity Act aims to create equity in insurance coverage for mental health or addiction treatment. The law requires health insurers to place “no more restrictive” financial requirements or treatment limitations on mental health or addiction benefits than are applied to “substantially all” medical/surgical benefits.

Your Rights

The law **does NOT require** that insurers offer mental health or addiction coverage, but instead requires that if an insurer offers ANY mental health or addictions benefits, they must be on par with medical/surgical benefits.

Under this law benefits are broken into six areas:

1. Inpatient, in-network
2. Inpatient, out-of-network
3. Emergency care
4. Outpatient, in-network
5. Outpatient, out-of-network
6. Prescription drugs

If the health plan has mental health or addiction benefits in ANY of the areas, it must offer benefits in ALL of the areas where medical or surgical benefits are offered.

Plans may implement **no more restrictive financial requirements** on mental health or addiction treatment than medical/surgical treatment, including but not limited to: copays, deductibles, and annual limits.

Plans may implement **no more restrictive treatment limitations** on mental health or addiction treatment than medical/surgical treatment, including but not limited to: visit limitations, prior authorization, inpatient treatment, medication management and utilization review practices.

Your Plan

Not all health insurance plans are covered under the federal law. Some plans are covered under state laws, and some plans are exempted from applicable laws.

Employer	Applicable Law	Regulatory Agency
Large Employer Fully-insured (51+ employees)	Federal and Maryland Parity Laws	Maryland Insurance Administration and/or US Department of Labor
Large Employer Self-insured (51+ employees)	Federal Parity Law	US Department of Labor
Small Employer (2-50 employees)	No Parity law applies, <i>but</i> Maryland Comprehensive Standard Benefit Plan applies	Maryland Insurance Administration
Individual or Self-employed	Maryland Parity Law	Maryland Insurance Administration
Federal Government	Federal Parity Law	US Office of Personnel Management
State and Local Government	Federal Parity Law unless an exemption was granted	US Department of Labor

“Substantially all”

Example:

If 70% of the inpatient, in-network medical/surgical benefits are subject to a 20% co-insurance requirement, then...

inpatient, in-network mental health/addiction benefits **can not** be subject to more than a 20% co-insurance requirement

Scenario:

Your insurance may not require you to pay a \$50 copay for visits to your mental health provider, if you only pay \$30 to see your medical doctor.

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Take Action

Know Your Plan

Your plan details will be outlined in your benefits book. You may need to speak with your benefits representative to understand your plan type (small group, large group, self-insured or fully-insured) as well as your plan benefits to see if you are covered under parity law.

Know Your Rights

Some of your new rights under the law include:

- Right to a written reason for denial of treatment
- Right to appeal your insurer's decision both through internal, and if necessary, external review

Talk With Your Provider

He or she can help with your appeal process to ensure you get the appropriate treatment. Your provider may get information from your insurer before you do, including reason for denial and steps to take to file an appeal.

Contact Your Insurer

It is important to understand the reason for denial. It is how violations are determined. If you choose to file an appeal of the denial, it is important to understand your insurer's appeal process.

Contact the Government Agency with Oversight Responsibility for Your Plan

The government agency that has oversight over your plan varies depending on how you are insured. You may file an appeal with the government agencies noted in the chart on the front page of this fact sheet after you have exhausted your insurer's internal appeals process.

Seek Help

For questions or for help in filing an appeal **contact the Maryland Parity Project 410-235-1178 ext. 206 or www.marylandparity.org**

RESOURCES

Maryland Parity Project
www.marylandparity.org

Maryland Insurance Administration
www.mdinsurance.state.md.us/sa/jsp/Mia.jsp

Maryland Attorney General's Office Health Education Advocacy Unit
www.oag.state.md.us/consumer/HEAU.htm

US Department of Labor
www.dol.gov/ebsa

US Office of Personal Management
www.opm.gov/insure/federal_employ/index.asp

National Parity Coalition
www.mentalhealthparitywatch.org