

**For Information Contact:**

Beth Casteel, 703-907-8640
press@psych.org
Jaime Valora, 703-907-8562
jvalora@psych.org

For Immediate Release:

January 29, 2010
Release No. 10-06

APA Reacts to the Mental Health Parity Regulations

ARLINGTON, Va. (Jan. 29, 2010) – Interim rules for implementing parity include victories for fairness in insurance coverage for individuals with mental illness and substance use disorders, but some important issues must still be resolved, the American Psychiatric Association said today after the Departments of Health and Human Services, Labor and Treasury released implementation rules.

The APA is reviewing and analyzing the newly announced regulations implementing the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA). The law applies to employers with 50 or more workers whose group health plan chooses to offer mental health or substance use disorder benefits. MHPAEA requires that any group health plan that includes mental health and substance use disorder benefits ensure that the benefit is no more restrictive than medical and surgical coverage in terms of out-of-pocket costs, benefit limits and practices such as prior authorization and utilization review.

The APA believes an important clarification in the regulations is a clear statement that the law requires that any group health plan that includes mental health and substance use disorder benefits along with standard medical and surgical coverage must treat them equally in terms of practices such as prior authorization and utilization review.

Another victory is a requirement for a single deductible for mental health and medical/surgical coverage. Patients with mental illness often have general medical conditions that require treatment at the same time. Separate deductibles prevent access to mental health treatment. The APA strongly advocated for combined deductibles and was pleased to see the Departments respond to our input.

While there are many positive aspects of the regulation, there are areas that the Departments did not address. The Departments are soliciting additional comments on issues such as provider networks and formulary development. APA intends to provide additional input on these and other issues during the open comment period.

“Mental health parity was a major advance for the APA and for our patients living with mental illnesses,” said APA President Alan F. Schatzberg, M.D. “The APA will continue to work hard and submit the important feedback to the Administration that is necessary to make sure our patients receive the care they need.”

During the 90-day comment period, the APA will receive a full legal analysis of the rule and talk frequently with Congressional leaders, employers and other mental health groups to prepare a response.

The American Psychiatric Association is a national medical specialty society whose 38,000 physician members specialize in the diagnosis, treatment, prevention and research of mental illnesses including substance use disorders. Visit the APA at www.psych.org and www.HealthyMinds.org.

###