What problem do these bills address?

State and federal parity laws require most health insurers to cover mental health and substance abuse treatment for children under the same terms and conditions as they cover other medical services. This means that if you are provided certain coverage for medical/surgical concerns, you must have access to the same level of coverage for mental health/substance use concerns, especially in regards to financial requirements and treatment limitations.

However, problems persist. Families report that denials of coverage, burdensome health plan approval processes, inadequate behavioral health provider networks, and other issues that continue to block access to appropriate care. Current parity law also uses language that is no longer accurate or aligned with current understanding of MH/SUDs and co-occurring autism spectrum disorders and intellectual/developmental disabilities. Mental health parity laws must be updated in language and enhanced to close loopholes, increase transparency, and provide consumers with tools to understand parity and challenge violations to parity law.

What difference will these bills make?

An Act to update mental health parity updates the legislative language in relevant mental health parity legislation to align with a current understanding of mental health disorders and co-occurring conditions.

An Act relative to mental health parity will help to create more equitable access to behavioral health care for families and children in a number of ways, including:

- Improving enforcement through enhanced carrier self-reporting;
- Addressing barriers created by insurers such as onerous and time-consuming approval processes;
- Applying parity across payers, including the Group Insurance Commission;
- Ensuring compliance through regular market conduct examinations;
- Enhancing opportunities and resources for consumers to assert parity rights; and,
- Establishing network adequacy standards and requiring parity of reimbursement rates for behavioral health providers and medical providers.

With a focus on equity:

There are long standing disparities in access to behavioral healthcare faced by Black and brown children and families. Inaccurate definitions and inconsistent coverage has a more acute impact on Black communities who are more likely to face insurance concerns, or face difficulty in getting needed care, tests or treatment. Massachusetts must update its parity laws to ensure equitable access and coverage of behavioral healthcare for all residents and families in the Commonwealth.

Why are these bills needed now?

As we expand our understanding of mental health disorders and those with co-occurring autism spectrum disorders and intellectual/developmental disabilities, it is critical that we update the language in our laws to ensure everyone who qualifies for care is able to receive it. With laws in place that both acknowledge the complexity of mental health challenges and establish systems for supporting and paying for them, the Commonwealth will be better prepared to support its residents, both during the COVID-19 pandemic and well after.

For additional information, contact Courtney Chelo at cchelo@mspcc.org
Visit us online at childrensmentalhealthcampaign.org