Introduction of the Problem
The Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) is a federal law aimed at requiring health insurance to cover mental health or substance use disorder services in the same way plans cover other medical services. Minnesota statutes require plans to follow the federal law. However, within Minnesota this law is not enforced.

The three pillars of mental health parity are:

*Out of Pocket Costs:* Mental health parity requires that copayments cannot be higher for mental health care than other medical surgical benefits, nor can there be a different deductible or higher out-of-pocket maximums for mental health care.

*Treatment Limits:* Health plans cannot establish different quantitative limits for mental health care than other medical benefits.

*Non-Quantitative Treatment Limit (NQTL):* Requires plans to make the scope or duration of benefits for treatments the same. An NQTL can take the form of step-therapy for a medication, different standards for a provider to enter a network including reimbursement rates, or other limits based on facility type or provider specialty that limit the scope or duration of health plan benefits. Mental health parity stipulates that the standards that a health plan uses when making an NQTL cannot be any more stringent or restrictive for mental health and substance use disorder treatment than it is for other categories of health care.

Violations still occur in all three areas, but the most common one is the NQTLs.

**Recommendations**
- Require private health plans to demonstrate that their plans are in compliance with parity regulations, including nonquantitative treatment limits such as network adequacy, wait times, formularies, etc. before they are certified by the Department of Commerce
- Require the Departments of Commerce and Health to monitor the implementation of mental health parity, including market conduct examinations
- Require the Departments of Commerce and Health to provide a report to the legislature every year regarding their efforts to enforce the parity law

**Our Legislative Partners on this Issue**
NAMI-MN and the Mental Health Legislative Network

**Conclusion**
Support Bills HF1340/SF1229 to enforce mental health parity within the state of Minnesota.