

Model State Parity Legislation Information Sheet

Background

President George W. Bush signed the Mental Health Parity and Addiction Equity Act (MHPAEA) into law in 2008. It requires most health benefits plans in the country to provide mental health and substance use disorder (MH/SUD) benefits under the same terms and conditions and no more restrictively than benefits provided for other medical care, so long as a plan provides MH/SUD benefits. State regulatory agencies are largely responsible for ensuring compliance with MHPAEA, and MHPAEA does not preempt state parity laws that offer greater protections. Therefore, state legislation can build upon MHPAEA and existing state laws to ensure fairness in health benefit coverage.

Purpose

This model bill was created by the ParityTrack policy staff in collaboration with Community Catalyst, Mental Health America, and the National Alliance on Mental Illness. It addresses some of the most critical issues in parity at basic levels, including regulatory agency accountability, health benefit plan transparency, definitional clarity for mental health conditions and substance use disorders, consumer and provider education, and coverage for medications that address the opioid crisis.

Additional Resources

Because the legislative climate is different in each state and the needs of each legislator are unique, additional versions of each title of the bill are available upon request. More extensive language is available for each provision of the bill. Less extensive language is also available for any provision that seems infeasible in a given state. Other targeted model bills that address a wide array of issues regarding MH/SUD health benefits are available upon request as well.

Available Support and Technical Assistance

The ParityTrack policy staff can customize all titles and sections of this model bill and any other model bill requested. This includes inserting state-specific sections of state code where necessary and adding the language used in each state for various terms. This language includes the names of relevant regulatory agencies, the proper terminology for health benefit plans, and the state-specific terms for mental health conditions and substance use disorders. The ParityTrack policy staff is available to provide technical assistance to legislators, legislative staffers, state-based advocates, and any other parties involved in the legislative process.

Contact

Please contact ParityTrack Policy Director, Tim Clement at Tim@paritytrack.org for additional resources and technical assistance.