

# MENTAL HEALTH PARITY

## Ensuring Parity in Employer-Sponsored Health Benefits: A Call to Action to Human Resource Leaders

### What is Mental Health Parity?

The **Mental Health Parity Bill (HB 1013)** was successfully passed in March 2022 with bipartisan support. In response to this bill, **insurance companies must treat mental health and substance abuse disorders in the same way they treat physical health conditions.** In simple terms, it's about making sure people get fair access to mental health care through their insurance, without facing discrimination or higher costs compared to physical health care. Patients can no longer be denied medically necessary treatment for mental health conditions.

- **Benefits Parity:** Mental health and substance use benefits must be offered in every category where medical and surgical benefits are provided.
- **Treatment Limits:** Restrictions on mental health and substance use treatment should not be stricter than those for physical health benefits.
- **Cost-sharing Parity:** Costs like copayments and deductibles for mental health services cannot exceed two-thirds of those for physical health services.

### Who does this apply to?

Employers, regardless of their plan type or size, are legally obligated to ensure parity in health benefit plans. Self-insured non-Federal governmental plans with less than 50 employees and small private employers with less than 50 employees are exempt from parity regulations. However, smaller corporations and businesses have a powerful position to play to ensure the Mental Health Parity Act is implemented effectively.

### Why should employers ensure Parity?

Although Georgia leads in mental health parity, some insurers may not fully comply with mandates like 1013 reporting, which helps individuals in crisis receive timely and appropriate emergency care. Active engagement from Georgia's businesses is crucial for driving parity forward and creating a fairer healthcare system.

Behavioral health benefits have become crucial, especially in the wake of the pandemic. This shift reflects a growing recognition of the impact of mental health on employee productivity, happiness, and overall well-being. HR executives must prioritize employee access to behavioral health services, including encouraging the utilization of Employee Assistance Programs (EAP). By doing so, organizations can foster a healthier and more engaged workforce, leading to increased productivity, reduced medical costs, and improved employee satisfaction. Compliance with state and federal statutes ensures equity in healthcare access for all employees. In essence, mental health parity is not just a small tool but a fundamental aspect of comprehensive employee wellness strategies.

As leaders in your respective industries, you have the power to advocate for effective implementation of the Mental Health Parity Act.

### How do Employers ensure that their plans are parity-compliant?

- The 2021 Consolidated Appropriations Act requires employer-sponsored group health plans to analyze and document nonquantitative treatment limitations (NQTs), submitting them to the U.S. Department of Labor upon request.
- The Department of Labor offers resources such as the **Self-Compliance Tool** and Warning Signs Checklist to assist employers in ensuring compliance.
- Regulators are increasing enforcement efforts, such as fines to ensure that parity regulations are met.

### Have You or Someone You Know Experienced a Parity Violation?

#### How to Report Parity Violation

- Individuals who have health insurance through an employer, family member, or independently can file a complaint via the Georgia Department of Insurance's [online consumer complaints portal](#).
- Individuals who have insurance through Medicaid, PeachCare for Kids, or the State Health Benefit Plan can use the Georgia Department of Community Health's [online mental health parity complaint form](#) to file a complaint.

### RESOURCES

- [National Alliance of Healthcare Purchaser Coalitions](#)
- [HR Policy Association](#)
- [U.S. Department of Health and Human Services on Parity](#)
- [U.S. Department of Labor On Parity](#)
- [Mental Health Parity Act Information: The Carter Center](#)
- [Mental Health Parity Information: Georgia DCH](#)

