

Warren, Kennedy Introduce Bill to Strengthen Mental Health Parity Laws

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[Bill Summary \(PDF\)](#)

[Bill Text\(PDF\)](#)

Washington, DC - United States Senator Elizabeth Warren (D-Mass.) and Congressman Joe Kennedy III (D-Mass.) today reintroduced the Behavioral Health Coverage Transparency Act, which will hold health insurers accountable for providing adequate mental health benefits and increase transparency for consumers seeking coverage for mental illness and substance use disorders.

According to a National Alliance on Mental Illness report, insurers denied authorization for mental health care at nearly twice the rate they did for medical care, often providing no information about the criteria used to make the decision. A follow-up survey found that over a third of respondents covered by private insurance struggled to find a single mental health therapist who would accept their insurance.

"Americans have a right to equal health care coverage for physical and mental illness," **said Senator Warren**. "The number of individuals across this country that are denied mental health services is alarming. Our bill will strengthen accountability for insurers, empower patients, and ensure Americans receive the protections they are guaranteed by law."

"For exhausted families struggling to access mental health care, lax enforcement of parity laws has built insurmountable roadblocks along the path to lifesaving treatment," **said Congressman Kennedy**. "By injecting accountability and transparency into our behavioral health care system, patients can access expanded provider networks and ensure their mental illness or substance use disorder does not come with a surcharge. Strengthening our broken mental health system should bridge partisan divides and I look forward to working with Senator Warren and fierce advocates to pass the Behavioral Health Coverage Transparency Act."

Under current federal law, most insurance plans must provide mental health coverage on par with the coverage they provide for other medical or surgical services, a requirement known as "parity." However, adherence to existing parity laws has been weak and inconsistent. In recent years insurers from New York to Oklahoma to California have agreed to settlements after violating federal parity laws.

The Behavioral Health Coverage Transparency Act would require insurance issuers to disclose annually to federal regulators the analysis they perform in making parity determinations as well as the rates and reasons for mental health claims denials versus medical/surgical denials. It also would require the Department of Health & Human Services, the Department of Labor and the Department of Treasury to undertake a minimum of 12 random audits of health plans per year to discourage noncompliance with existing parity laws. Finally, it would establish a Patient Parity Portal, allowing consumers to easily access all publicly available parity information and submit complaints in a central online clearinghouse.

The Behavioral Health Coverage Transparency Act is cosponsored by Senator Sherrod Brown (D-OH), Senator Richard Blumenthal (D-CT), Senator Tammy Baldwin (D-WI), Senator Tina Smith (D-MN), Senator Edward Markey (D-MA), Senator Cory Booker (D-NJ), Senator Kamala D. Harris (D-CA), Senator Maggie Hassan (D-NH), Senator Tim Kaine (D-VA), Senator Chris Murphy (D-CT),

Senator Bernie Sanders (D-VT), Senator Debbie Stabenow (D-MI), Congresswoman Doris Matsui (D-CA), Congressman Paul Tonko (D-NY), Congressman Ben Ray Lujan (D-NM), Congressman Eliot Engel (D-NY), Congresswoman Jan Schakowsky (D-IL), Congressman Bobby Rush (D-IL), and Congresswoman Debbie Dingell (D-MI).

The legislation has received support from the following advocacy and expert organizations: American Association of Child & Adolescent Psychiatry, American Foundation for Suicide Prevention, American Psychiatric Association, American Psychological Association, American Society of Addiction Medicine, Community Catalyst, Depression and Bipolar Support Alliance, Eating Disorders Coalition, Facing Addiction, Hazelden Betty Ford Foundation, Mental Health America, Massachusetts Medical Society, National Alliance on Mental Illness, National Association of Addiction Treatment Providers, National Association of State Mental Health Program Directors, National Council for Behavioral Health, National Federation of Families for Children's Mental Health, Parity Implementation Coalition, Residential Eating Disorders Consortium, Young People in Recovery, Watershed Addiction Treatment Programs.

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