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March 13, 2022

The Honorable Chris Murphy
136 Hart Senate Office Building
United States Senate
Washington, DC 20510

The Honorable Bill Cassidy
520 Hart Senate Office Building
United States Senate
Washington, DC 20510

Dear Senators Murphy and Cassidy,

We are writing on behalf of the more than 37,400 members of the American Psychiatric Association to thank you for your leadership in advancing the new tools that are being implemented to strengthen compliance with Mental Health Parity and Addiction Equity Act.

As you know, the Departments of Labor, Health and Human Services, and Treasury recently issued a powerful report that shows in stark terms the lack of compliance with the parity law by insurance plans and issuers. That analysis and the enhanced transparency to which it contributes, exists largely because of your leadership. It shows not only how much more work remains before we finally end insurance discrimination against those with mental illness and substance use disorders, but why your legislation that Congress enacted as part of the Consolidated Appropriations Act of 2021 was so important and why it is imperative to keep the pressure on.

The report describes in vivid detail how **none of the plans or issuers** from whom federal enforcement agencies sought comparative analyses were able to produce them as required. The agencies also uncovered numerous outright parity violations that thankfully were corrected, such as exclusions for appropriate autism treatment, exclusions of medication-assisted treatment for opioid use disorder, exclusions of nutritional counseling for eating disorders, and blanket prior authorizations for all behavioral health benefits when a similar requirement was not in place for other medical care. It is likely that the agencies will uncover additional violations as they go through resubmitted information from plans and insurers.

Now that more enforcement activity is occurring, all stakeholders involved, especially the insurance industry, are realizing that they must take the law seriously. These results also demonstrate why it's so important to enact your *Parity Implementation Assistance Act* (S.1962/ H.R. 3753), to ensure that states also have the resources needed to hold state-regulated plans accountable to the law, and why Congress must ensure that DOL has the added resources and tools it needs to expand its enforcement work.

On behalf of our member psychiatrists and the many patients they serve every day, all of whom continue to be affected by ongoing insurance discrimination, APA thanks you for the vital role that you are playing to promote greater transparency, accountability and compliance with the parity law and the protections it was designed to provide. We look forward to continuing our partnership with you to ensure that all Americans have access to the mental health and substance use disorder treatment they deserve and are afforded under the law.

Sincerely,

Handwritten signature of Saul Levin in black ink.

Saul Levin, MD, MPA, FRCP-E, FRCPsych
CEO and Medical Director

Handwritten signature of Vivian Pender in black ink.

Vivian Pender, M.D.
President