

PAUL TONKO
21ST DISTRICT, NEW YORK

COMMITTEE ON
EDUCATION AND LABOR

COMMITTEE ON
SCIENCE AND TECHNOLOGY



Congress of the United States
House of Representatives
Washington, DC 20515-3221

128 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5076

DISTRICT OFFICES:

ROOM 827
O'BRIEN FEDERAL BUILDING
ALBANY, NY 12207
(518) 465-0700

61 CHURCH STREET
ROOM 309
AMSTERDAM, NY 12010
(518) 843-3400

105 JAY STREET
ROOM 15
SCHENECTADY, NY 12305
(518) 374-4547

Ensure Strong Mental Health Parity Rules

Hold Health Insurance Companies Accountable

Dear Colleague:

In late 2008, Congress passed the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act (MHPAEA). This landmark legislation requires health insurance companies that offer mental health and substance use disorder coverage to have benefits that are on par with the benefits offered for other medical and surgical benefits. The MHPAEA was a milestone for the behavioral health community and the law brought insurance company practices into line with current science. Mental illnesses and substance use disorders are conditions affecting the brain, and should not be treated any differently from other medical conditions.

The Departments of Health and Human Services (HHS), Labor (DOL) and the Treasury have issued an interim final rule (IFR) for insurance companies implementing the MHPAEA regulations that apply to plans beginning on or after July 1, 2010. The IFR was hailed by the behavioral health community as exceptionally strong. The rule bars insurance companies from having different rules for mental health benefits and other medical benefits, including rules on lifetime and annual limits, co-pays, deductibles, treatment limits, and out-of-network benefits. As more individuals obtain health insurance coverage through the Affordable Care Act, it is essential that those with these conditions be able to access the treatment they need.

Health insurance companies are claiming that they need to treat mental health conditions differently than other medical conditions and they need to preserve many of their current practices that allow them to deny and charge more for treatment of mental health conditions. This is discriminatory and outdated thinking and every one of the 275 Members who cosponsored the MHPAEA would disagree. Such arguments seek to preserve insurance company profits and put individuals suffering from mental illnesses back in the shadows.

To counter the arguments made by insurance companies, I am sending a letter to HHS, DOL and the Treasury urging the agencies to reject this logic and preserve the strong IFR. Insurance companies are seeking to weaken the parity regulations in advance of the July 1 effective date and we cannot allow insurance companies to continue to put profits before patients. Please join me in signing this letter, the text of which is below. If you have any questions or would like to sign on, please contact Becky Cornell in my office at x55076 or Becky.Cornell@mail.house.gov.

Sincerely,

Paul D. Tonko
Member of Congress