



legislativeUPDATE

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New Mental Health Parity Guidance

The Department of Labor (DOL) has created a Mental Health [Webpage](#) with new resources related to mental health parity. The new Webpage focuses on the Mental Health Parity and Addiction Equity Act (MHPAEA) with links to a variety of resources such as publications, videos, reports, and research papers. As background, the MHPAEA requires that the financial requirements (such as co-payments and deductibles) and treatment limitations (such as visit limits) applied to mental health or substance use disorder benefits be no more restrictive than the predominant requirements or limitations applied to substantially all medical and surgical benefits. The MHPAEA supplements prior provisions under the Mental Health Parity Act of 1996 (MHPA), which required parity with respect to aggregate lifetime and annual dollar limits for mental health benefits.

One new set of [FAQs](#) posted to the page is directed at employers and answers common MHPAEA implementation questions, including who oversees implementation, how it interacts with state mandates, and current agency efforts promoting compliance. The second new set of [FAQs](#) is directed at employees, providing basic information about the MHPAEA protections for mental health and substance use disorder benefits provided by employer-sponsored plans.

Also available on the Webpage is the first of a biennial [DOL Report](#) to Congress on compliance of group health plans and insurers with MHPAEA requirements. Outlining next steps, the report states that the DOL has now created an "MHPAEA infrastructure" and that it will continue to evaluate compliance. Plan sponsors should take note that the DOL may institute more robust enforcement efforts now that they have created the mental health parity Webpage and provided easy access to various resources, outreach, and assistance.

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