

Legislative and Advocacy Updates

Mental Health Parity & Addiction Equity Act

- The Mental Health Parity and Addiction Equity Act (the Federal Parity Law) requires health plans to cover mental health, eating disorders, and addiction benefits the same way they cover physical health.

Parity is Your Right.



Possible Parity Violations

Separate deductible or higher co-pays for behavioral health services

Limits on how many days a patient can stay in a treatment facility or how many times they can see a behavioral health provider.

Charges more for prescription medication for behavioral health treatment.

Makes patient get permission before starting and/or continuing behavioral health treatment

Insurer refuses to pay for residential behavioral health treatment recommended by a doctor.

Insurer forces patient to try a less expensive treatment before pursuing treatment recommended by a doctor

Insurer refuses to pay for behavioral health treatment outside of patient's state or region

Common Parity Violations



What is Parity?

The Mental Health Parity and Addiction Equity Act of 2008, also known as the Federal Parity Law, requires insurers to cover illnesses of the brain, such as depression or addiction, no more restrictively than illnesses of the body, such as diabetes or cancer. Some states model promising policies for monitoring and enforcing insurer adherence to this law that other states can consider implementing.

1

Insurer requires patient to pay a separate deductible or higher co-pays for behavioral health services.



2

Insurer sets limits on how many days a patient can stay in a treatment facility or how many times they can see a behavioral health provider.



3

Insurer charges more for prescription medication for behavioral health treatment.



Common Parity Violations

4

Insurer makes patient get permission before starting and/or continuing behavioral health treatment.



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Insurer forces patient to try a less expensive treatment before pursuing treatment recommended by a doctor.



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Insurer refuses to pay for residential behavioral health treatment recommended by a doctor.

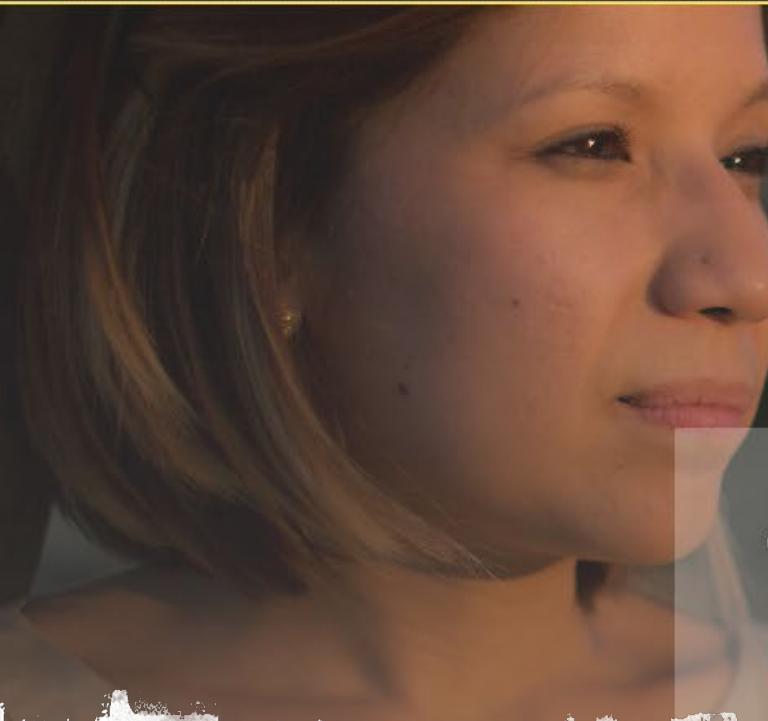


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Insurer refuses to pay for behavioral health treatment outside of patient's state or region.



If you have been denied coverage for mental health or addiction treatment services, your rights may have been violated. Visit [ParityRegistry.org](https://www.ParityRegistry.org) to learn how to file an appeal with your health plan, send a complaint directly to state enforcement officials, find state and federal regulators who can help with an appeal, and more.



Access to mental health, eating disorder, and addiction care is your right. If your health plan denied services, there are ways to fight back.

Denied insurance coverage for mental health or addiction services?

[Learn About Your Rights](#)

Looking for resources to appeal an insurance denial?

[Appeal Resources](#)

Help influence policymakers about parity law.

[Submit a Complaint](#)

The Kennedy Forum – Parity Registry

<https://www.parityregistry.org/>

The Kennedy Forum was founded by Patrick J. Kennedy in 2013, and is focused on advancing the current ideas, policies, and programming in behavioral health known to be effective, while shining a light on the solutions of the future.

Evaluating State Mental Health and Addiction Parity Statutes STATE REPORT CARD

TENNESSEE



What is Parity?

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How Do Tennessee's Statutes Measure Up?

79 out of **100** points

Grade: **C**



Why Grade State Statutes?

In advance of the 10th anniversary of the signing of the Federal Parity Law, we examined how states enact strong parity statutes in order to ensure that state regulators have a full set of tools to make parity a reality and to hold both health plans and state officials accountable.

Key Issues

The promise of parity remains elusive for many individuals directly impacted by mental illness and substance use disorders. They are denied care when they need it most and have few resources to advocate on their own behalf. Based on deficiencies found in our analysis of state statutes, Tennessee should consider:

- How compliance with the parity law is monitored and enforced



Relevant Stats

In Tennessee...

NEARLY
1 in 5 adults have a mental illness
(national average over 1 in 5)

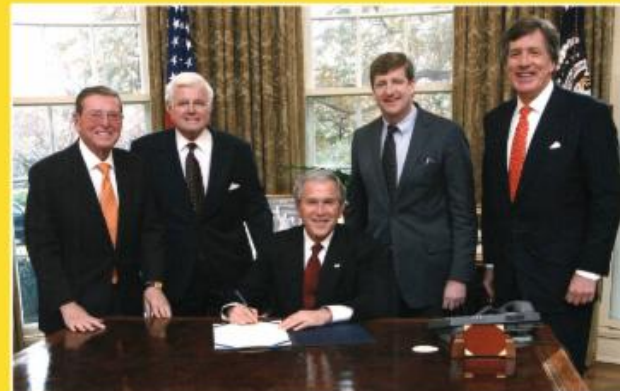
NEARLY
1 in 4 adults with mental illness
(national average over 1 in 4)

NEARLY
1 in 15 youth have a mental illness
(national average over 1 in 15)

OVER
1 in 14 youth have a mental illness
(national average over 1 in 14)

To access your state report card

<https://www.paritytrack.org/parity-reports/state-reports/>



October 3, 2018
marks ten years since the
**Mental Health Parity and
Addiction Equity Act (MHPAEA)**
was signed into law by
President George W. Bush

**WHERE DO WE STAND?
HOW DO STATES MEASURE UP?**

Families as Caregivers Act

A new law will require the federal government to develop a national strategy to address the needs of family caregivers, including those supporting people with developmental disabilities.

The law calls for the secretary of health and human services to establish a national plan to “recognize and support family caregivers” within 18 months. The plan is supposed to include recommendations for federal, state and local governments as well as health care and long-term services and supports providers

Medicaid 115 Waivers



<https://familiesusa.org/state-waiver-resource-and-tracking-center>

- A waiver is a state request that the Secretary of Health and Human Services waive certain federal health care program requirements, usually in Medicaid (Section 1115 waivers) or the marketplaces (Section 1332).
- Families USA's Waiver Strategy Center tracks the changes states make to health care programs using 1115 and 1332 waivers. These changes can be good or bad for consumers. You can explore waivers on a state-by-state basis, at

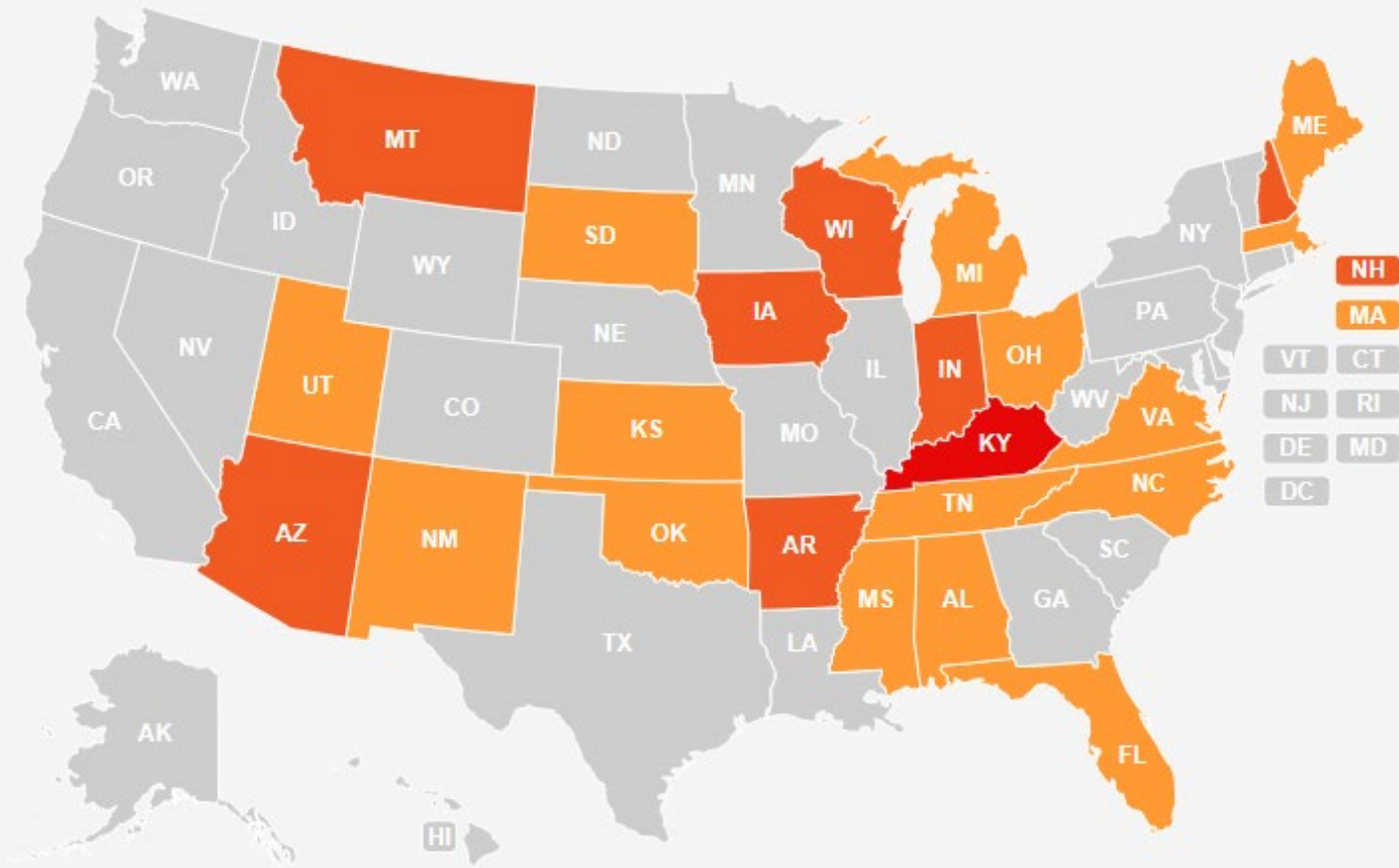
Section 1115 Waivers

Section 1332 Waivers

- Waiver Approved
- Waiver in Progress
- Rejected in Court

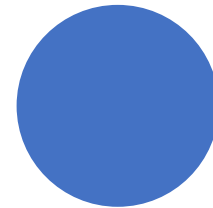
- Waiver Approved
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- Passed on July 22 by an overwhelming margin of 379-1, was signed into law by President Trump on August 14th.
- Bipartisan proposal would move towards creating a new national three-digit code - similar to 911 - to be used for mental health.

National Suicide Hotline Improvement Act



Grandparents Raising Grandchildren Act

The Supporting Grandparents Raising Grandchildren Act was signed into law on July 7, 2018 after unanimously passing the U.S. House and Senate

Establishes an Advisory Council to Support Grandparents Raising Grandchildren. The council is responsible for identify, promote, coordinate, and publicly disseminate information and resources to help older relatives meet the needs of the children in their care and also maintain their own health and emotional well-being as they raise these kids

The Family First Prevention Services Act was signed into law as part of the Bipartisan Budget Act on February 9, 2018.

This act reforms the federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who are **at risk of** entering the child welfare system.

The bill aims to prevent children from entering foster care by allowing federal reimbursement for mental health services, substance use treatment, and in-home parenting skill training.

Families First Preservation Act

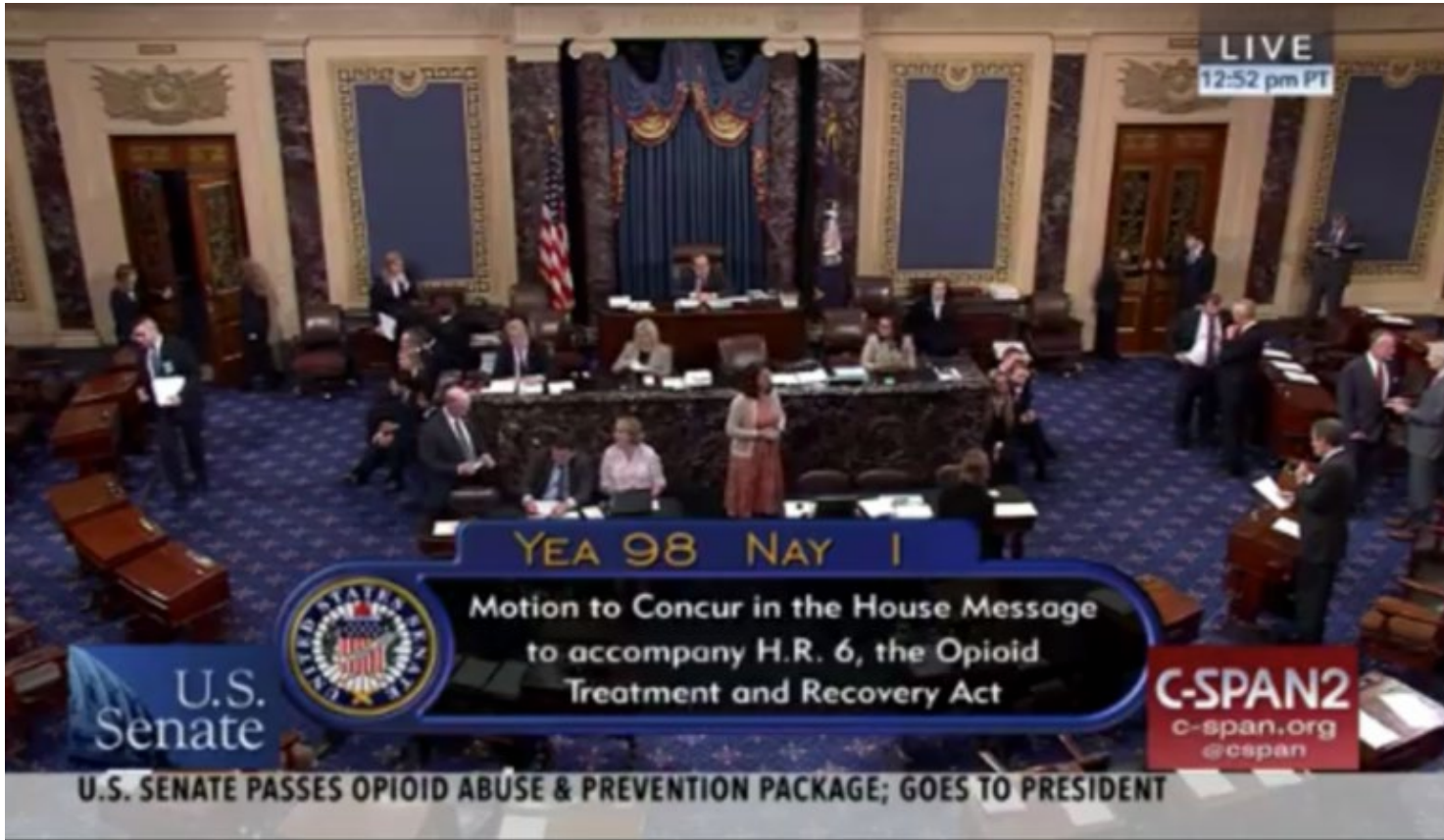
Families First Prevention Services Act

What Services are Available for Federal Reimbursement?

- Mental Health Services
- Substance Abuse Prevention and Treatment Services
- In-home Parent Skill-based Programs

Who is Eligible For Services?

- Children who are identified as candidates for foster care identified in a prevention plan as safe to remain safely at home or in a kinship placement with receipt of services or programs
- Children in foster care who are pregnant or parenting
- ***The parents or kin caregivers*** where services are needed to **prevent** the child's entry into care



This comprehensive bill includes policies and resources that support people in recovery from addiction across the lifespan. From caring for infants and babies, to youth in recovery, to housing, employment, recovery coaching, and recovery community organizations, the bill has a heavy emphasis on recovery.

Senate Passes Opioid Package with 98-1 Vote

Senate Opioid Package

Continuous Health Insurance for former foster youth:

Recovery and Reunifying Families: This provision promotes the replication of effective recovery coach programs to improve outcomes for children and families in the child welfare system who are impacted by substance use disorders.

Plans of Safe Care: This provision provides grants to states to improve and coordinate their response to ensure the safety, permanency, and well-being of infants affected by substance use.

Trauma-Informed Care: This provision gives the Center for Disease Control

At-Risk Youth Medicaid Protection: This legislation would ensure that incarcerated youth are simply suspended, rather than terminated, from Medicaid while they are incarcerated.

Bill Tracker



- Nonpartisan children's policy experts rate the current bills in Congress. Do they help kids or harm kids? See also [key votes in the 115th Congress](#) that would impact the well-being of our nation's children.
- <https://campaignforchildren.org/billtracker/>

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Legislative
and
Advocacy
Alerts



- <https://www.ffcmh.org/policy-and-advocacy>

Keeping in the loop

- NFFCMH - <https://www.ffcmh.org/policy-and-advocacy>
- The Kennedy Forum - <https://www.thekennedyforum.org>
- Disability Scoop - <https://www.disabilityscoop.com>
- Families USA - <https://familiesusa.org/sign-up>
- First Focus - <https://campaignforchildren.org/billtracker/>