

Q&A from Assurex Global Webinar
"Mental Health Parity Final Regulations"

February 20, 2014

Question	Answer
Q: Along with the tobacco you just mentioned, what about plans that exclude tobacco cessation programs or meds for such - it is an addiction?	A: Remember that in general the Mental Health Parity Rules do not require employers to cover any particular condition, Rather the rules are designed to assure that any MH or SA benefits that are included in the plan are provided in parity with similar general medical benefits.
Q. We are a small employer (but more than 50 employees) with a fully insured plan and my carrier puts some limits on the place of service for certain types of benefits. If I do not think the rules meet the requirements of these rules what can I do?	A. Unfortunately as a small employer you probably have very little leverage on forcing a carrier to make plan design changes. If the plan is truly out of compliance the carrier has some liability so hopefully the design in question has been review by their legal counsel. At the end of the day your only real option may be to switch carriers.
Q. Can government plans still opt-out of these rules?	<p>A. Only self-funded non-federal governmental plans can opt out of the mental health parity requirements. If a government employer chooses to opt-out it must provide an annual notice to participants.</p> <p>For the initial plan year to which an opt-out election applies, a plan must provide the annual notice to current enrollees before the first day of the plan year and to individuals who enroll during that plan year at the time of enrollment.</p> <p>For subsequent plan years in which there is an opt-out election, current enrollees must receive an annual notice no later than the last day of the plan year, and individuals who enroll during the plan year must receive a notice at the time of enrollment.</p>

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