

For purposes of this Guide, except where the context clearly indicates otherwise, the following terms have the meanings indicated:

Aggregate Lifetime Dollar Limit means a dollar limitation on the total amount of specified benefits that May be paid under a health plan (45 CFR § 146.136(a)).

Annual Dollar Limit means a dollar limitation on the total amount of specified benefits that may be paid in a 12-month period under a health





Mental Health and Substance Use Disorder Parity Compliance

Standard 1

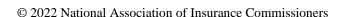
The health carrier shall define all covered services as mental health or substance use disorder benefits or as medical or surgical benefits. Mental health benefits or substance use disorder benefits must be defined to mean items or services for the treatment of a mental health condition or substance use disorder, as defined by the terms of the health plan and applicable state and federal law. Any definition of a condition or disorder as being or as not being a mental health condition or substance use disorder must be consistent with generally recognized independent standards of current medical practice or state guideline. (45 CFR § 146.136(a)).

Apply to: Certain group and individual health carriers offering mental health and substance use disorder coverage

Priority: Recommended

Documents to be Reviewed

 Applicable state and federal statutes, rules, regulations and published sub-regulatory guidance
 Type of generally recognized independent standards of current medical practice, state law or guidance, used









Mental Health and Substance Use Disorder Parity Compliance

Standard 3

The health carrier shall not apply any financial requirement on mental health or substance use disorder benefits in any classification (or applicable sub-classification) that is more restrictive than the predominant financial requirement of that type applied to substantially all medical/surgical benefits in the same classification (or applicable sub-classification) (45 CFR 146.136(c)(2)(i)).

Apply to: Certain group and individual health carriers offering mental health and substance use disorder

coverage

Priority: Recommended

Documents to be Reviewed

Applicable state and federal statutes, rules, regulations and published sub-regulatory guidance



Mental Health and Substance Use Disorder Parity Compliance

Standard 4

The health carrier shall not apply any QTL on mental health or substance use disorder benefits in any classification (or applicable sub-classification) that is more restrictive than the predominant QTL of that type applied to substantially all medical/surgical benefits in the same classification (or applicable sub-classification) (45 CFR § 146.136(c)(2)(i).

Apply	to:	Certain group and individual health carriers offering mental health and substance use disorder coverage
Priorit	y:	Recommended
Docum	ents to	be Reviewed
	Applica	able state and federal statutes, rules, regulations and published sub-regulatory guidance
	medica	carrier list of all QTLs applied to mental health or substance use disorder benefits and d/surgical benefits in each classification (or applicable sub-classification) (this will include schedules fits and other policy documents)
	medica	carrier documentation of the reasonable method used to determine expected plan payments for description of the reasonable method used to determine expected plan payments for description of benefits (or applicable sub-classification), including entation and communications with vendors engaged to provide assistance with analyses
		entation demonstrating the predominant and substantially tests performed by the health carrier for plicable financial requirement applied to all benefits
	Internal	company claim audit reports
	Mental	health and/or substance use disorder and medical/surgical claim files
		carrier complaint, grievance and appeals records (supporting documentation, including, but not to: written and phone records of inquiries, complaints,

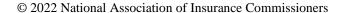


Mental Health and Substance Use Disorder Parity Compliance

Standard 5

The health carrier shall apply non-quantitative treatment limitations (NQTLs) to mental health or substance use disorder benefits within a classification of benefits (or applicable sub-classification) so that any processes, strategies, evidentiary standards, or other factors used to apply a limitation, 1) as written and 2) in operation, are comparable to the processes, strategies, evidentiary standards, or other factors used to apply the limitation to medical/surgical benefits within the classification (or applicable sub-classification) (45 CFR \S 146.136(c)(i)). The health carrier shall perform and document comparative analyses of the design and application of NQTLs in accordance with 42 U.S.C. \S 300gg-26(a)(8)(A).

Apply to: C



 Fail-first policies or step therapy protocols
 Network development/contracting policies and procedures



other factors used in applying an NQTL to mental health or substance disorder benefits are comparable to, and are applied no more stringently than_, the processes, strategies, evidentiary standards, or other factors those used in applying the limitation with respect to medical/surgical benefits in the classification. The comparative analyses shall include the following, for each NQTL applied to mental health or substance use disorder benefits, separately for each classification of benefits (42 U.S.C. § 300gg-26(a)(8)(A):

Author note: The above language shown in yellow (shown as stricken) is being added back to the above paragraph, the strike through has been retained so you can see what s being changed. With the above yellow highlighted language added back in, the paragraph would then read as follows:

Review the The health carrier's shall perform and document comparative analyses to verify that demonstrating that within any classification of benefits, as written and in operation, the process, strategies, evidentiary standards, or



Mental Health and Substance Use Disorder Parity Compliance

Standard 6

The health carrier shall ensure that it complies with all availability of plan information and related disclosure





