



**DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION**

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INSURANCE BULLETIN 09 –03
Parity Requirements for Mental Health and Chemical Dependency Benefits
ISSUED September 21, 2009

TO: All Insurance Companies, Health Services Corporations, Health Maintenance Organizations, and Fraternal Benefits Societies Licensed in Missouri

FROM: John M. Huff, Director

RE: Recent federal mental health parity requirements and Missouri's state parity requirements

DATE: September 21, 2009

This bulletin provides a brief summary of the requirements for health benefit plans to cover, or offer coverage, for mental health and chemical dependency/substance use disorder benefits, in light of both state and new federal requirements.

The American Recovery and Reinvestment Act of 2008 included the Mental Health Parity and Equity Addiction Act of 2008 (MHPAEA). MHPAEA is a federal mental health mandate requiring parity in coverage for any benefit plans that cover mental health services and/or chemical dependency services (known in the federal law as “substance use disorder” benefits). (Information is available at CMS’s website: <http://www.cms.hhs.gov>.)

MHPAEA becomes effective for plan years after October 3, 2009. MHPAEA contains an exemption for small employer groups of 1 to 50. MHPAEA does not apply to individual plans.

In Missouri, mental health parity was enacted in 2004, applicable to all group and individual health benefit plans.

A complete, detailed description of the requirements in Missouri related to coverage of mental/chemical/substance benefits is beyond the scope of this document. The following is a brief, general summary of requirements in light of the combination of state and new federal requirements:

- For all group health benefit plans, mental health benefits must be covered. Coverage of mental health benefits must be equivalent to coverage of medical benefits, for both large and small groups.
- Alcoholism must be covered. For large group health benefit plans, the combined obligations of state and federal law are such that coverage of alcoholism must be equivalent to coverage of medical benefits.
- Coverage of chemical/substance benefits beyond alcoholism must be offered. For individual health benefit plans, mental health benefits must be offered. For large group health benefit plans, the combined obligations of state and federal law are such that the offered coverage for chemical/substance benefits must be equivalent to coverage of medical benefits.

Chapter 376 is available in its entirety at: <http://www.moga.mo.gov/STATUTES/C376.HTM>

Applicable statutes: **Section 376.1550, RSMo Section 376.779, RSMo Sections 376.810-376.814, and 376.825-376.836, RSMo**

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