

Behavioral Health Parity Implementation and the Opioid Epidemic in Pennsylvania



We would like to thank the Republican and Democratic House Policy Committees for holding this hearing on such a vitally important topic – the epidemic of Pennsylvanians struggling with a surge in opioid use.

Historically, people with behavioral health and substance use conditions have faced discrimination in insurance coverage. Behavioral health benefits offered were less generous and individuals seeking treatment often faced significant barriers to care. The most significant legislation combatting this inequity was the Mental Health Parity and Addiction Treatment Equity Act (“Parity”), signed into law in 2008 by President Bush. At the core of the Parity Act is fairness - treating mental health and substance use conditions the same as we treat physical conditions.

There are still several steps Pennsylvania can take to ensure Parity is implemented. Enforcing existing federal Parity requirements at the state level would expand both the treatment options and financial resources of families struggling with the opioid epidemic.

Parity implementation legislation has been introduced by Representative Tom Murt (R - 152nd Legislative District) and 25 co-sponsors. HB 2173 would address these disparities, expanding access to care across the Commonwealth for many Pennsylvanians, and specifically address the needs of those with opioid use disorders.

HB 2173 would:

- **Impose no new behavioral health benefits on private insurance companies.** This state legislation would simply direct the Insurance Department to monitor parity implementation and ensure compliance with existing law.
- **Increase compliance with the federal parity law at the state level and will save the state money by reducing reliance on public insurance programs.** Currently, when people develop a behavioral health condition and are unable to access appropriate care through their private insurance, they are told to enroll in Medicaid. Statewide legislation that directs the Insurance Department to implement the federal law will save the state money in the long run, as private insurance begins to provide more of the services they are required to cover.
- **Enforce Parity and improve the lives of your constituents, as they are able to access the treatment they need.** One of the most common problems individuals and their families report is getting treatment when they need it, and understanding what behavioral health coverage they have through their insurance. Many people have rights to equitable care in the behavioral health system through the federal Parity law, but it is not being adequately enforced in Pennsylvania.
- **Bring Pennsylvania in line with other states.** Because states regulate their own insurance market, the federal government gives states primary authority to enforce Parity. Statewide legislation would bring us in line with other states and strengthen legislative oversight.
- **Educate the public on their Parity rights.** Less than 5 percent of Americans are aware they have rights and are entitled to care under the law, and as a result, many consumers aren’t appealing denied claims or request for services. This legislation will improve efforts to educate the public.

HB 2173 is currently before the House Insurance Committee. We hope that you will support this important piece of legislation as it is considered by the General Assembly.

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