

Ending Mental Health Coverage Discrimination

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Recent State Actions

- **DE (\$597,000):** Aetna and Highmark BCBSD
- **IL (\$2 million):** CIGNA, United Healthcare, BCBS IL, and Celtic
- **MA (\$1 million):** AG settlements with 5 plans
- **PA (~\$2 million):** United Healthcare, Aetna
- **RI (\$5 million):** AG settlement with BCBS RI
- **NY (\$3 million):** AG settlements with 7 plans

Wit v. United Behavioral Health

- Federal court issued 10-year injunction against United Behavioral Health, **requiring the use of nonprofit medical necessity criteria**
- Ordered reprocessing of 67,000 claims denied using defective medical necessity criteria that were **inconsistent with Generally Accepted Standards of Care**
- 50% of those denied care were **children / adolescents**
- **CA SB 855 and Ramstad Model Bill** both address use of flawed criteria

GAO Reports

- Dec. 2019 report found state and federal regulators were **too reliant on complaints** in enforcing parity
- **A majority of states had never done any targeted parity compliance reviews**
- U.S. DOL has fewer than **1 investigator for every 12,500 employee benefit plans**
- April 2021 GAO report found **continued MH/SUD coverage problems during pandemic**

