

# KANSAS MENTAL HEALTH COALITION

An Organization Dedicated to Improving the Lives of Kansans with Mental Illnesses

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Colleagues

As a behavioral health professional, you know the daily influence that insurance exerts over access to mental health and addictions treatment. Unfortunately, that influence is often a barrier. The Kansas Mental Health Coalition established the Parity Committee in April 2019 to identify how and when insurance practices are violating federal and state parity rules, and to collaborate with the Kansas Insurance Department and others to end these practices.

This letter provides background on the work of the Parity Committee of the Kansas Mental Health Coalition and invites your participation in a short [survey](#) to provide information relating to insurance company practices that have a bearing on their compliance with state and federal parity statutes. This survey is a follow-up to one in which you may have participated in 2020.

The Parity Committee is a work group which includes representatives of the following provider associations, agencies, and advocacy organizations:

- Association of Community Mental Health Centers of Kansas
- Behavioral Health Association of Kansas
- Children's Alliance
- Disability Rights Center of Kansas
- Kansas Association of Addiction Professionals
- Kansas Business Group on Health
- Kansas Commission for the Deaf & Hard of Hearing
- Kansas Counseling Association
- Kansas Hospital Association
- Kansas Mental Health Coalition
- Kansas Psychiatric Society
- Kansas Psychological Association
- Mental Health Association of South Central Kansas
- National Alliance on Mental Illness – NAMI Kansas
- National Association of Social Workers, Kansas Chapter
- Poetry for Personal Power

This communication is being shared with providers and advocates in all of the referenced organizations.

The Committee's work has been focused on identifying insurance company practices which may violate parity statutes as well as developing consensus on appropriate criteria for determining medical necessity. The Committee has had several meetings with Insurance Commissioner Vicki Schmidt and her staff to identify issues of mutual concern related to enforcement of parity legislation. The Committee is a resource for behavioral health providers and provider organizations.

Some examples of parity violations include:

- Denials without cause
- Denials for failure to meet medical necessity but without documentation of cause

- Retroactive reviews and recoupments
- Insurers seeking access to confidential treatment records
- Use of algorithms and data analysis to identify, challenge, deny or recoup payments instead of medical necessity based on accepted practice standards.
- Levels of care guidelines – Using inadequate criteria to determine what constitutes treatment and/or using inadequate standards that demand a lower level of care when a higher level of care is clinically recommended, and/or withholding a higher level of care until a lower level of care has been utilized.

We need your help to collect information regarding your experiences with insurance companies which may be using practices and/or levels of care guidelines in a manner that may diminish or circumvent compliance with federal and state parity rules. Along with this letter, we've included an attachment outlining examples of potential parity violations which should assist you in identifying experiences which are similar in your practice.

[Click here](#) to access a short survey to provide your feedback. *If you have already received a link to this survey since January 2023 from another organization or communication, there is no need to respond a second time.*

We will use aggregate responses to the survey to address the next phase of our education and collaboration with the organizations participating in the Parity Committee. Information provided may also be utilized for future communications and activities related to our work with the Kansas Insurance Department and the other public policy activities related to ensuring full compliance with federal and state parity laws. *However, no responses that identify individual providers will be shared with the Kansas Insurance Department or health insurance companies.*

Thanks for your review and participation. If you have additional information and/or questions, please direct these to the Committee at [KansasParity@gmail.com](mailto:KansasParity@gmail.com).

Audrey Dunkel  
Parity Committee Chair