



October 13th, 2023

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Lisa M. Gomez
Assistant Secretary
Employee Benefits Security Administration
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20002

The Honorable Douglas W. O'Donnell
Deputy Commissioner for Services and Enforcement
Internal Revenue Service
U.S. Department of the Treasury
1111 Constitution Avenue, NW
Washington, DC 20224

Re: 0938-AU93 1210-AC11 1545-BQ29 Requirements Related to the Mental Health Parity and Addiction Equity Act

Dear Secretary Becerra, Assistant Secretary Gomez, and Deputy Commissioner O'Donnell,

I am writing on behalf of the National Alliance on Mental Illness of Massachusetts (NAMI Mass), a grassroots nonprofit organization committed to improving the quality of life for people living with mental health conditions, their families, and their caregivers. We greatly appreciate the opportunity to provide our perspective on the "Requirements Related to the Mental Health Parity and Addiction Equity Act."

NAMI Mass endorses the proposed amendments to the Mental Health Parity and Addiction Equity Act (MHPAEA) and applauds the federal government's efforts to enhance the accessibility and quality of mental health and substance use disorder (MH/SUD) care. Our organization views a person's mental health as synonymous with their overall health and believes equalizing access to MH/SUD treatment is paramount to achieving a healthier, more equitable society.

NAMI Mass fully supports the proposed rule's goal to increase access to treatment by addressing treatment limitations in insurance plans that place a greater burden on accessing MH/SUD care than other medical care. In that vein, NAMI Mass strongly urges the Departments to finalize the following proposals:

- **Proving Parity Compliance:** We commend the proposal that requires health plans to demonstrate their parity compliance by illustrating the real-world impact of benefit

limitations on individuals seeking MH/SUD treatment. This transparency is essential in identifying and rectifying disparities in access.

- **Evaluating Provider Networks:** The proposed requirement to assess health plan provider networks, including evaluating wait times, out-of-network provider utilization, provider reimbursement rates, and prior authorization practices, is a significant step forward. This evaluation process will help ensure that individuals can access care promptly and conveniently.
- **Enforcing Compliance:** We strongly support the proposal to establish stringent consequences for health plans found to be out of compliance with parity requirements, including barring them from imposing the plan requirement. We urge the Departments to consider penalties when plans ignore these consequences. These consequences should act as a powerful deterrent and underscore the government's commitment to achieving true parity in MH/SUD treatment access.

Furthermore, we urge the federal government not to allow any exceptions to these new parity enforcement requirements. From our experience as a nonprofit whose base includes individuals with mental health conditions, their families, and caregivers, exceptions can often be exploited to unjustly deny crucial services. To truly fulfill the promise of the parity law, there must be no exceptions that compromise equal access.

NAMI Mass views mental health as a key component of overall health, and core to who we are as people. The proposed rule represents a significant step towards eliminating barriers to care and ensuring that everyone has equitable access to MH/SUD benefits, as they are entitled to under the law. We enthusiastically support these changes and urge the government to implement them promptly. This commitment to parity is not only a matter of policy but a testament to our society's commitment to the well-being of all its members.

Thank you once again for providing this opportunity to offer our testimony and for your commitment to improving mental health parity in our nation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Myisha R. Rodrigues', written in a cursive style.

Myisha R. Rodrigues, PhD, LMHC

Executive Director of NAMI Massachusetts