

FY24 BUDGET

\$500K TO THE DIVISION OF INSURANCE TO EXPAND THE HEALTH CARE ACCESS BUREAU'S MENTAL HEALTH PARITY ENFORCEMENT CAPACITY (DOI 7006-0029)

THE PROBLEM

State and federal law now provide strong protections to ensure that individuals have the same insurance coverage for behavioral health care as they have for medical care. However, the right to parity does not always translate into parity in practice. The Division of Insurance (DOI) must provide guidance, accountability, and enforcement to ensure parity and access to behavioral health services, including services provided by Chapter 177 of the Acts of 2022.

WHAT THIS LINE ITEM ACHIEVES

- This line item gives DOI's Health Care Access Bureau the resources to hire staff to enforce behavioral health parity and other new coverage provisions in Chapter 177.
- With these resources, DOI could screen, investigate, and resolve parity complaints – both those from consumers and those from providers. DOI could also conduct market conduct examinations of insurance carriers to ensure they are complying with parity requirements and ensure carriers are producing required annual parity reports.
- Advocates also are awaiting DOI regulations, guidance, or bulletins regarding telehealth in the provision of behavioral health care, behavioral health services for children and adolescents (BHCA services) covered by private insurance, and “ghost networks” (insurance carrier provider listings that misrepresent actual provider options).
- Both the FY23 budget and H1 funded the Health Care Access Bureau at \$1.06M.

WHY THIS MATTERS

The Legislature has repeatedly voted, most recently in passing Chapter 177 of the Acts of 2022, in support of parity legislation that would protect people with behavioral health issues from discrimination and improve access to services. However, the Commonwealth needs to give DOI the capacity to enforce these laws.

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