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Mental Health and Substance Use Disorder Parity Compliance**

**Standard 7**

The health carrier as the entity is responsible for parity compliance. The health carrier shall ensure that management of mental health and substance use disorder benefits coverage as a whole complies with the applicable provisions of MHPAEA, including any vendor relationships. The carrier shall provide or require sufficient information in terms of plan structure and benefits to or from any vendor to ensure that the mental health and substance use disorder benefits are coordinated with the medical/surgical benefits for purposes of compliance with the requirements of MHPAEA.

**Apply to:** Certain group and individual health carriers offering mental health and substance use disorder coverage

**Documents to be Reviewed**

- \_\_\_\_\_ Contractual agreements between the carrier and vendors having administrative, claims and/or medical management responsibilities
- \_\_\_\_\_ Policies and procedures for ensuring availability of health carrier information needed for vendor analysis of compliance with MHPAEA
- \_\_\_\_\_ A narrative summary outlining how the vendor and the carrier coordinate ~~benefit design and application~~ to ensure compliance with MHPAEA
- \_\_\_\_\_ ~~Any written communications between the carrier and the vendor in regard to the administration of mental health and substance use disorder benefits~~

**Commented [A14]:** Recommendation 3 - The edits allow for a broader narrative for explaining how vendors and carriers coordinate to achieve MHPAEA compliance.

**Others Reviewed**

- 29 CFR § 2590.712(e).
- 75 FR § 5426
- 78 FR § 68250

**Review Procedures and Criteria**

The health carrier shall provide documentation of the protocols and procedures in place to ensure that any contracted vendor that provides mental health or substance use disorder benefits is collaborating with the health carrier to satisfy compliance with MHPAEA. This shall include explanation of how both the design of benefits and the application of benefits, in operation, are compliant with MHPAEA.