



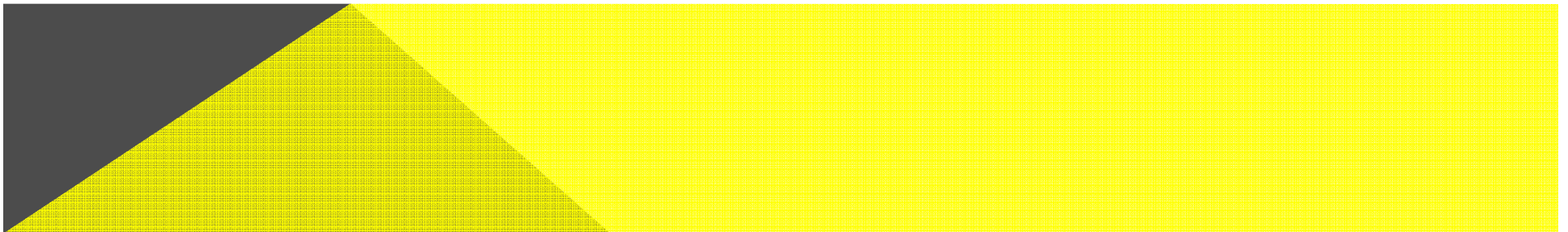
NATIONAL AND STATE PARITY UPDATE

The Kennedy Forum

WHAT DOES NON-COMPLIANCE LOOK LIKE TODAY?

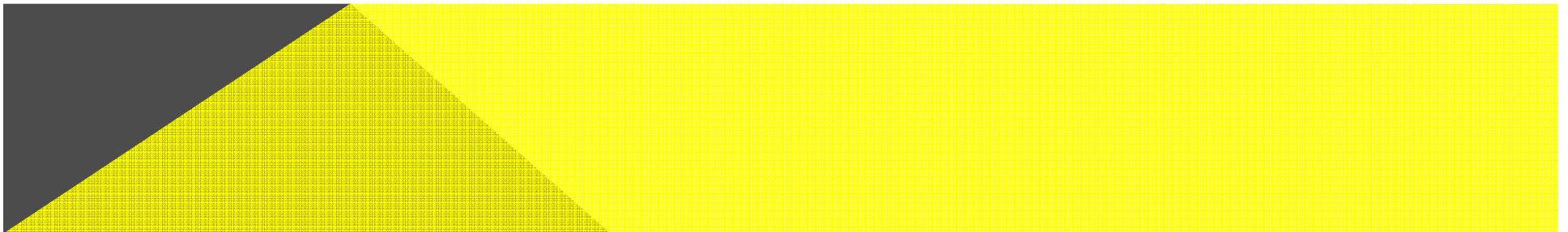
More stringent nonquantitative treatment limitations (NQTLs):

- Frequent and burdensome prior authorization requirements
- Reviews to see if care is “medically necessary”
- Fail-first protocols, i.e. cheaper treatments must be tried first
- Network admission standards and reimbursement rate setting (Milliman Study)



FEDERAL PARITY LANDSCAPE

- The President's Opioid Commission Recommendations
 - Two parity recommendations:
 - DOL civil monetary penalties States
 - State and federal regulators should issue standardized tool document their compliance work on nonquantitative treatment limitations (NQTLs)
- Federal agencies to issue sub-regulatory guidance about NQTLs as required by 21st Century Cures Act – Three months overdue



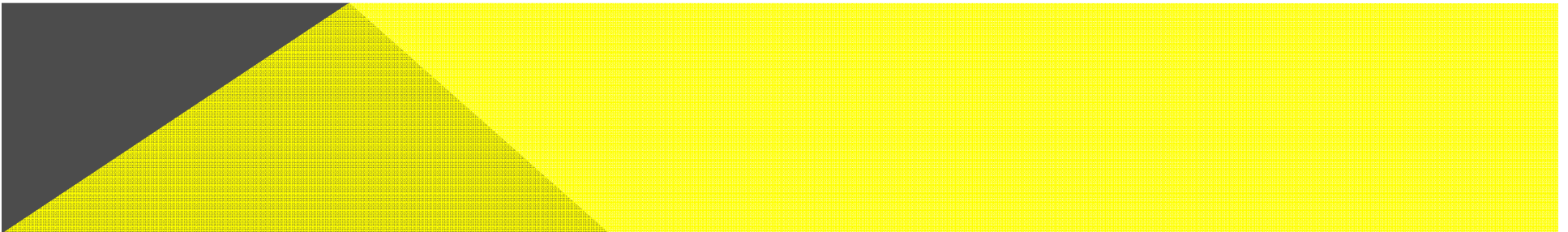
BEHAVIORAL HEALTH COVERAGE TRANSPARENCY ACT

- H.R.4478/S.2301
- Requires health plans and issuers to disclose how they design and apply NQTLs
- Requires federal agencies to issue guidance about how health plans and issuers can demonstrate compliance with MHPAEA NQTL requirements and additional guidance about how consumers can file complaints
- Requires no fewer than 12 randomized audits of health plans and issuers



WORK WITH FEDERAL DEPARTMENTS

- The Kennedy Forum and its partners created tool for regulators: *The Six Step Parity Compliance Guide for NQTLs* (found on www.paritytrack.org)
- Received positive reception with federal departments
- Federal health investigators to receive parity training

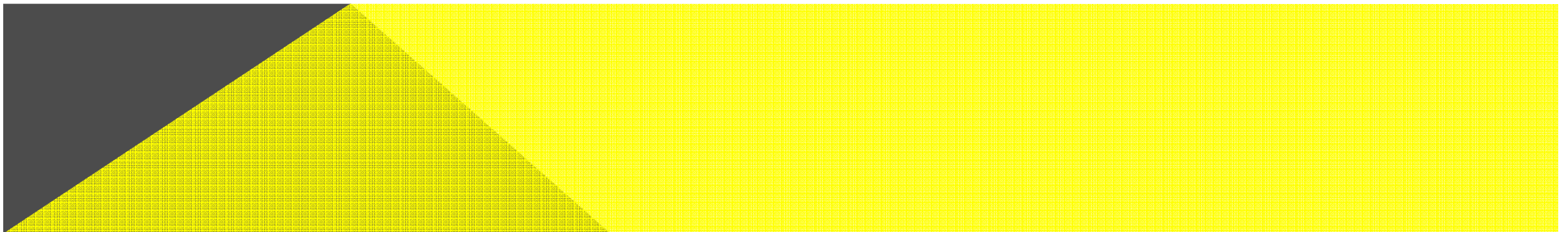


MODEL LEGISLATION & STATE WORK



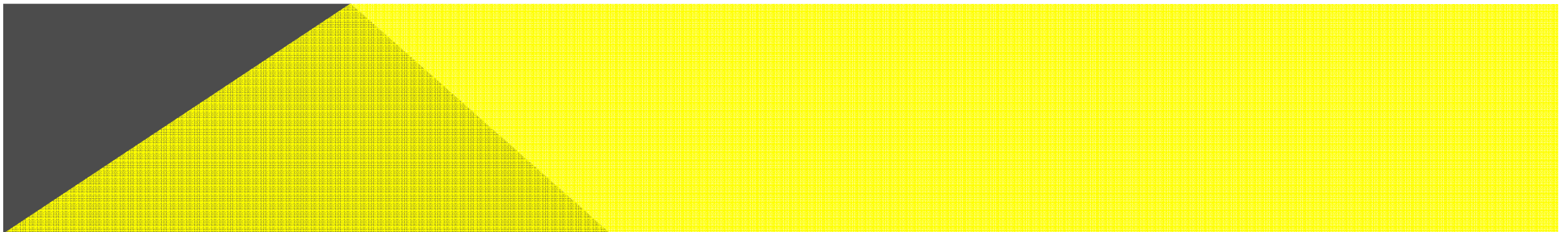
MODEL PARITY LEGISLATION

- Model parity legislation unveiled in 2017 and refined for 2018
- Requires issuers and Medicaid managed care organizations to submit analyses demonstrating compliance
- Provides specific steps for state regulators to take to enforce parity
- Optional provisions to eliminate insurance barriers to medication-assisted treatment
- Go to: www.paritytrack.org/resources/model-resources or tim@thekennedyforum.org



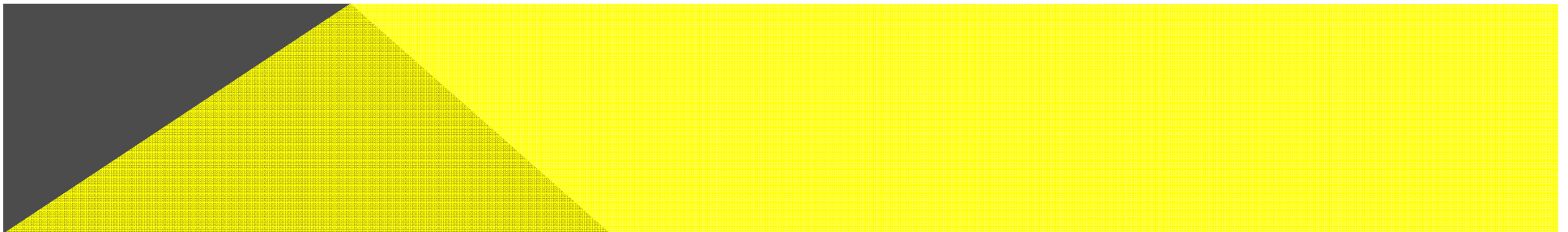
KEY PARTNERS

- American Foundation for Suicide Prevention
- American Medical Association
- American Psychiatric Association
- American Psychological Association
- American Society of Addiction Medicine
- Community Catalyst
- Depression and Bipolar Support Alliance
- Mental Health America
- The National Alliance on Mental Illness
- The National Council for Behavioral Health
- Parity Implementation Coalition



KENNEDY FORUM & PARTNERS: STATE LEGISLATION

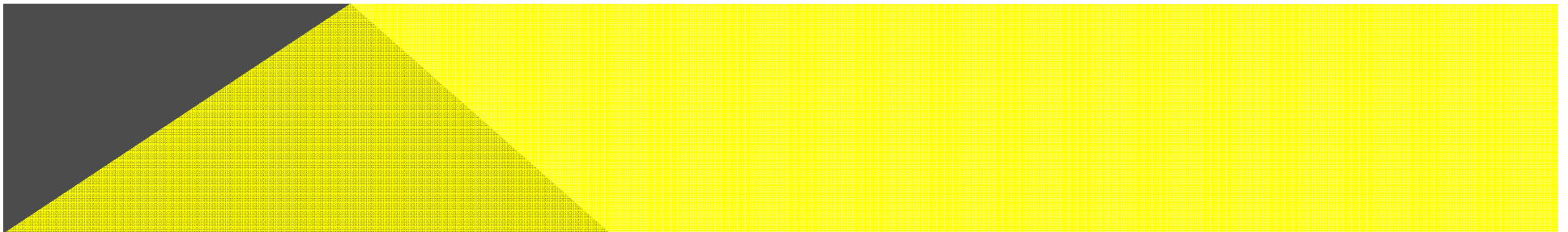
- These are the targeted states so far (**Red means bill introduced**):
 - **CT**, DE, **FL**, GA, **IL**, **MN**, **MS**, **MO**, **MT**, NJ, OH, **PA**, **TN**, WY
- States that are interested:
 - AZ, CO, VA
- AMA has their own model legislation that incorporates KF legislation



KENNEDY FORUM & PARTNERS: STATE REGULATORY WORK

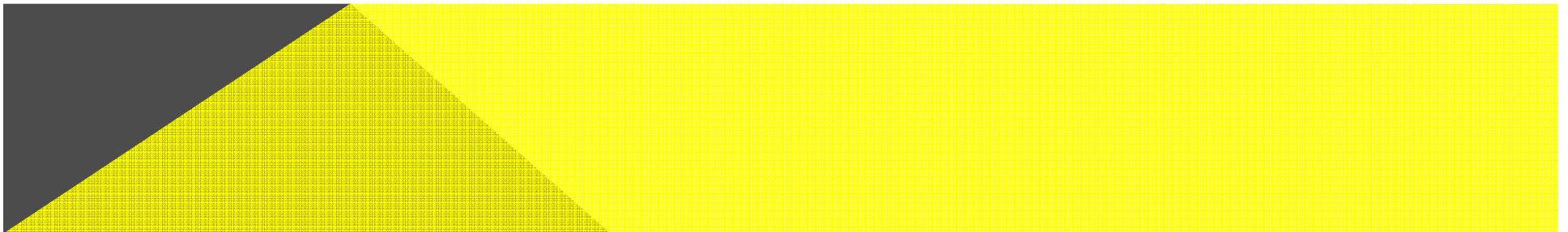
- **19 states and D.C. received federal grant money for ACA implementation, including parity: CA, CO, DC, HI, IL, IN, MA, MD, MI, MN, MS, NC, NE, NH, NM, NY, OR, PA, RI, UT**

- **The Kennedy Forum is providing technical assistance to some of these states and subcontracted entities**



PARITY ACCREDITATION

- Involves representatives from insurance industry, provider guilds, and advocacy groups
- Accreditation is for health plans and issuers
- Accreditation does not deem compliance with the law but that the health plan or issuer is taking the necessary steps to assure compliance



KEY RESOURCES

- www.paritytrack.org (resources dropdown has link to model legislation and Six-Step Guide)
- www.parityregistry.org

