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Statement by Lora Pellegrini, President and CEO of the Massachusetts Association of Health Plans, on the Attorney General Settlements with Health Plans Regarding Mental Health Parity Compliance

“Massachusetts health plans, nationally recognized for high quality care and member satisfaction, are committed to providing comprehensive behavioral health benefits for their members in compliance with state and federal mental health parity laws. Since enactment of the federal mental health parity law in 2008, health plans in Massachusetts have executed policies in accordance with federal and state guidance.

Despite best efforts by health plans and state regulators to interpret the federal mental health parity law, the federal government has failed to provide clear and comprehensive guidance, resulting in an uneven application of the law and ambiguity as to the meaning of certain provisions among state agencies and regulators. In recognition of this continued ambiguity and confusion, the 2016 *21st Century Cures Act* directed federal agencies to issue additional guidance for compliance. With the most recent guidance released in late 2019, regulators continue to refine interpretation of the federal requirements.

To ensure a clear and consistent application of the federal law in Massachusetts, it is imperative that the Attorney General and state agencies work together to establish a uniform interpretation of the federal mental health parity law and issue state guidance so that Massachusetts consumers, employers, providers and health plans can understand their rights and responsibilities under the law free of competing interpretations.

Today’s settlements also address health plan provider directories. For the past two years, Massachusetts health plans have worked tirelessly to invest in new technology and infrastructure to support comprehensive online provider directories for members. Centralized data-entry tools for providers will improve the accuracy of information contained in an online directory, making it easier for members to identify in-network providers, including behavioral health providers. With the full support of the health plans, the Massachusetts state legislature passed Chapter 124 of the Acts of 2019 signed into law by Governor Baker on November 26, 2019, requiring health plans to ensure accuracy in provider directories by October 2020.

The agreement pertaining to provider directories is consistent with Chapter 124, Acts of 2019 and reflects the work of the legislature, advocates and health plans to ensure this important tool is available to consumers. MAHP and our member plans look forward to continued collaboration with providers to ensure that online directories are comprehensive and up to date in order to meet the needs of our members.”

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