Appendix: MHPAEA Guidance Compendium

In submitting its annual report on investigations of parity in mental health and substance use disorder benefits, the Department of Labor (DOL), in collaboration with the Department of Health and Human Services (HHS) and the Department of the Treasury (collectively, the Departments), is required by statute¹ to reference any guidance the Departments have provided to address the category of violation committed. This document provides the citations to the MHPAEA Final and Interim Final Rules and the guidance the Departments have issued for each category of violation cited in DOL's and HHS's FY21 MHPAEA Enforcement Fact Sheet. Additional materials that the Departments produced (including the annual reports on investigations) may also be found at: https://www.cms.gov/cciio/programs-and-initiatives/other-insurance-protections/mhpaea factsheet.html.

Rule	s and Guidance Issued, Including for Categories of Violations Identified in FY 2021	Reference
	repartments' MHPAEA Rules FR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136)	
A. Fin	nal Rules (Published 11/13/2013)	78 FR 68240
B. Int	terim Final Rules (Published 2/2/2010)	75 FR 5410
II. The D	epartments' MHPAEA Guidance	
A. <u>A</u>	oplication of MHPAEA	
1)	FAQs About Affordable Care Act Implementation Part V and Mental Health Parity Implementation (Issued 12/22/2010)	Question Nos. 8, 11
2)	<u>Understanding Implementation of the Mental Health</u> Parity and Addiction Equity Act of 2008 (Issued 5/9/2012)	Questions Nos. 4-5, 7-8
3)	FAQs About Affordable Care Act Implementation (Part XVII) and Mental Health Parity Implementation (Issued 11/8/2013)	Question Nos. 1-3, 5-7
4)	FAQs About Affordable Care Act Implementation (Part XVIII) and Mental Health Parity Implementation (Issued 1/9/2014)	Question No. 12
5)	FAQs About Affordable Care Act Implementation Part 31, Mental Health Parity Implementation, and Women's Health and Cancer Rights Act Implementation (Issued 4/20/2016)	Question No. 11
6)	ACA and MHPAEA Frequently Asked Questions, Part 38 (Issued 6/16/2017)	Question No. 1

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¹ See section 13003(a) of the 21st Century Cures Act, as amended by section 7182 of the SUPPORT for Patients and Communities Act.

B. Benefits in All Classifications	
1) FAQs on Implementation of MHPAEA (Issued 5/9/2012)	Question No. 4
2) Compliance Assistance Guide (Issued 11/19/2014)	Pages 41-48
3) 2020 MHPAEA Self Compliance Tool (Issued	Section B
10/23/2020)	
C. Annual and Lifetime Dollar Limits	
1) FAQs on Implementation of MHPAEA (Issued 5/9/2012)	Introduction
2) Compliance Assistance Guide (Issued 11/19/2014)	Pages 41-48
3) 2020 MHPAEA Self Compliance Tool (Issued	Section C
10/23/2020)	
D. Financial Limitations and Quantitative Treatment Limitations (QTLs)	
1) FAQs on MHPAEA Outpatient Classification (Issued 6/30/2010)	Question No. 1
2) ACA and MHPAEA Frequently Asked Questions, Part VII (Issued 11/17/2011)	Question No. 7
3) Compliance Assistance Guide (Issued 11/19/2014)	Pages 41-48
4) FAQs About Affordable Care Act Implementation Part 31, Mental Health Parity Implementation, and Women's	Question Nos. 8
<u>Health and Cancer Rights Act Implementation</u> (Issued 4/20/2016)	
5) FAQs About Affordable Care Act Implementation Part	Question No. 3
34 and Mental Health and Substance Use Disorder Parity	
Implementation (Issued 10/27/2016)	
6) FAQs About Families First Coronavirus Response Act	Question No. 16
and Coronavirus Aid, Relief, And Economic Security Act	
Implementation Part 43 (Issued 06/23/2020)	
7) 2020 MHPAEA Self Compliance Tool (Issued	Section D, E
10/23/2020)	
E. Non-Quantitative Treatment Limitations (NQTLs)	
1) ACA and MHPAEA Frequently Asked Questions, Part	Question Nos. 2–6
<u>VII</u> (Issued 11/17/2011)	
2) <u>Understanding Implementation of the Mental Health</u>	Question No. 6
Parity and Addiction Equity Act of 2008 (Issued 5/9/2012)	
3) Compliance Assistance Guide (Issued 11/19/2014)	Pages 41-48
4) Warning Signs: Plan or Policy NQTLs that Require	Pages 1-3
Additional Analysis to Determine MHPAEA Compliance	8
(Issued 6/1/2016)	
5) FAQs About Affordable Care Act Implementation Part	Questions Nos. 4-9
34 and Mental Health and Substance Use Disorder Parity	
Implementation (Issued 10/27/2016)	

6)	ACA and MHPAEA Frequently Asked Questions, Part 38 (Issued 6/16/2017)	Question No. 1
7)	FAQs about Mental Health and Substance Use Disorder Parity Implementation and the 21 st Century Cures Act Part 39 (Issued 9/5/2019)	Question Nos. 1-8
8)	2020 MHPAEA Self Compliance Tool (Issued 10/23/2020)	Section F
9)	FAQs About Mental Health and Substance Use Disorder Parity Implementation and the Consolidated Appropriations Act, 2021 Part 45 (Issued 4/2/2021)	Questions Nos. 1-8
G. <u>Disclosures</u>		
1)	FAQs About Affordable Care Act Implementation Part V and Mental Health Parity Implementation (Issued 12/22/2010)	Question Nos. 9-10
2)	FAQs About Affordable Care Act Implementation (Part XVII) and Mental Health Parity Implementation (Issued 11/8/2013)	Question Nos. 3, 8-9.
3)	FAQs About Affordable Care Act Implementation (Part XXIX) and Mental Health Parity Implementation (Issued 10/23/2015)	Question Nos. 12-13
4)	FAQs About Affordable Care Act Implementation Part 31, Mental Health Parity Implementation, and Women's Health and Cancer Rights Act Implementation (Issued 4/20/2016)	Question Nos. 9-10
5)	FAQs About Mental Health and Substance Use Disorder Parity Implementation and the 21st Century Cures Act part 39 (Issued 9/5/2019)	Questions Nos. 9-11, Final MHPAEA Disclosure Template
6)	Parity Implementation and the Consolidated Appropriations Act, 2021 Part 45 (Issued 4/2/2021)	Question No. 6
	forcement & Implementation	
1)	<u>Understanding Implementation of the Mental Health</u> Parity and Addiction Equity Act of 2008 (Issued 5/9/2012)	Questions Nos. 1-3, 9-10
2)	FAQs About Affordable Care Act Implementation (Part XVII) and Mental Health Parity Implementation (Issued 11/8/2013)	Question No. 4
3)	,	Question No. 2
4)	FAQs About Mental Health and Substance Use Disorder Parity Implementation and the Consolidated Appropriations Act, 2021 Part 45 (Issued 4/2/2021)	Questions Nos. 1-9

EBSA Regional Offices - EBSA has ten regional offices (and three district offices) with benefits advisors who provide individual assistance and investigators who conduct health plan investigations under ERISA, including the requirements of MHPAEA compliance. EBSA's regional offices can be contacted at askebsa.dol.gov or 1-866-444-3272, and are in the following locations:

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Boston Regional Office

JFK Federal Bldg 15 New Sudbury St, Ste 575 Boston, MA 02203 Tel (617) 565-9600 Fax (617) 565-9666

Chicago Regional Office

John C. Kluczynski Federal Bldg 230 S. Dearborn Street, Ste 2160 Chicago, IL 60604 Tel (312) 353-0900 Fax (312) 353-1023

Cincinnati Regional Office

1885 Dixie Hwy, Ste 210 Ft. Wright, KY 41011-2664 Tel (859) 578-4680 Fax (859) 578-4688

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