

New Mental Health and Substance Use Disorder Parity Rules: What They Mean for Participants and Beneficiaries



On September 9, 2024, the Biden-Harris Administration issued final rules to strengthen parity between mental health and substance use disorder (MH/SUD) benefits and medical/surgical benefits.

How will these rules increase access to MH/SUD benefits?

They require health plans to evaluate how well they're ensuring accessing to MH/SUD benefits, and make changes if their evaluations show that they're providing insufficient access to care or making it harder for people to get the care they need by imposing higher copays, visit limitations, or prior authorization requirements on MH/SUD benefits as compared to physical health care benefits.

When do these rules take effect?

If you get your health coverage through your job, many requirements apply to plan years beginning in 2025, though some provisions will not apply until plan years beginning in 2026. If you buy your own insurance (for example, on HealthCare.gov), all requirements apply for policy years beginning in 2026.

Although the new rules do not take effect right away, Federal law and existing regulations still provide protections for individuals seeking MH/SUD treatment.

Are you experiencing issues with your MH/SUD benefits?

Please call the Employee Benefits Security Administration toll-free at 1-866-444-3272 or contact us at askebsa.dol.gov.

You can also contact the No Surprises Help Desk, available at 1-800-985-3059 or www.cms.gov/nosurprises/consumers/complaints-about-medical-billing.

**EMPLOYEE BENEFITS SECURITY ADMINISTRATION
UNITED STATES DEPARTMENT OF LABOR**

Key Highlights

- Participants and beneficiaries can expect health plans and health insurance companies to cover MH/SUD care on similar terms with physical health care.
- Participants and beneficiaries can expect health plans and health insurance companies to make changes when they don't provide adequate access to treatment for mental health conditions and substance use disorders as compared to physical health care.
- Participants and beneficiaries can expect health plans and health insurance companies to provide more information about how certain treatment limitations in their health coverage comply with the law.
- Participants and beneficiaries can expect existing loopholes to be closed as the rules require State and local government health plans to provide the same parity protections to covered individuals.