

Testimony in Support of HB 6137, HB 6138, and HB 6139

From: Tim Clement on Behalf of the Michigan Psychiatric Society

My name is Tim Clement and I am the Director of Legislative Development at the American Psychiatric Association. I am testifying on behalf of the Michigan Psychiatric Society in support of House bills 6137, 6138, and 6139, all of which would provide **transparency and accountability** regarding insurance coverage for mental health and addiction treatment.

The federal Mental Health Parity and Addiction Equity Act was signed into law **by President George W. Bush in 2008**. The parity law represents a simple concept: insurance coverage for behavioral health care should be no more restrictive than insurance coverage for other medical care.

Unfortunately, while the concept is simple, the parity law itself is quite complicated. Insurers have **struggled with some of the most complex parts of law** that govern how they do things like prior authorization, step therapy, setting reimbursement rates, and maintaining their provider networks, among other things.

President Trump's [Opioid Commission](#) (pages 71-72) identified this problem and proposed that states and the federal government should use a uniform approach to securing compliance with this tricky part of the law. This approach would require insurers **to prove** that they are following the law.

In 2018 and 2019 13 states enacted laws heeding the Commission's advice. Then, in 2020 **President Trump signed an amendment to the federal parity law** that requires all insurers in America to perform analyses proving that they comply with the complicated parts of the law. Insurers must give these analyses to state and federal regulators upon request.

Now, the federal parity law has transparency and accountability built into it. That's what these three House bills are about. They simply require insurers to hand over to the state the compliance analyses **they're already required to do under federal law**. Insurers in Michigan have been required to have these analyses available upon request since February 10, 2021, so they should have no trouble meeting the requirements of these bills.

These bills merely formalize the state request process established in the parity law. Now, the state will have the opportunity to determine if insurers are providing mental health and addiction treatment in accordance with the law.

This is important because there's no full solution to the opioid crisis and the suicide epidemic if people can't get adequate mental health care through their insurance. That's how it works when you have any other life-threatening illness, and this should be no different.

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