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Eating Disorders and Information Requests under the MHPAEA

On June 16, a new FAQ was released and additional steps were taken towards increasing disclosures to participants with respect to mental health/substance abuse benefits. The FAQ confirms that eating disorders are a mental health condition and, therefore, the treatment of eating disorders is a mental health benefit under MHPAEA. The Departments also requested comments on whether additional clarification is needed on how MHPAEA applies to this treatment.

Perhaps of more consequence to plan administrators, the Departments also released a draft form that can be used by participants and their authorized representatives to request information regarding available mental health/substance abuse benefits or to obtain additional information following an adverse benefit determination relating to such benefits. Participants would not be required to use this form, but it will make it easier for participants to understand their rights and to request comprehensive information relating to the adverse benefit determination.

Plan and claims administrators should prepare to receive more requests for information relating to these benefits and claim denials, and be ready to provide the comprehensive information within 30 days of the request. Now is the time to review processes and confirm claims administrators are able to provide the information to which participants are entitled.

The draft form (referred to as the Draft MHPAEA Disclosure Template), which summarizes the information to which participants are entitled, can be found here.