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MHPAEA 2024 Final Rule Requires Action by Plan Sponsors

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On September 9, 2024, the Departments of Treasury, Labor and Health and Human Services published the much-anticipated final rule implementing parts of the Mental Health Parity and Addiction Equity Act (MHPAEA). The primary force of the final rule is to implement new requirements adopted by Congress in amendments to the MHPAEA under the Consolidated Appropriations Act of 2021, which required health plans to conduct meaningful comparative analyses to ensure parity in access to mental health and substance use services as compared to medical and surgical services.

For background, the MHPAEA (in tandem with the Affordable Care Act) requires small group and individual plans to provide meaningful benefits for covered mental health conditions and substance use disorders in each classification where they provide medical/surgical benefits. While not required to provide behavioral health coverage, large-group plans and self-insured employer health plans that choose to cover behavioral health care are required to ensure parity between behavioral health benefits and other health benefits.

Please see our recent Legal Alert for key provisions included in the final rule.