New Federal Mental Health Regulations Strengthen Parity in Accessibility to Services

Health Equity 09.25.24

On September 9, the Department of Health and Human Services (HHS), Department of Labor (DOL), and the Treasury Department released new final rules implementing the Mental Health Parity and Addiction Equity Act (MHPAEA). As the country continues to struggle with an escalating mental health and substance use disorder (SUD) crisis, MHPAEA has failed since its enactment nearly 16 years ago to reduce barriers that individuals encounter in trying to access critically needed mental health resources through their health plans. In fact, disparities have not only persisted, but they have also actually grown. One of the hallmarks of the new rules is prohibiting insurers from using nonquantitative treatment limitations (NQTLs), such as prior authorization requirements and other utilization management, which are more restrictive than the predominant NQTLs applied to medical/surgical benefits in the same classification. Various aspects of the new rules take effect beginning as early as January 1, 2025.