

## **The Mental Health and Substance Abuse Parity Initiative**

*"There is still urgent work to be done and we have to get this right."*

-Patrick J. Kennedy on parity implementation, April 14, 2015

*"(Our insurer) refused to authorize services...It appears they are going to deny everything." –*  
R.F., HLA client and mother of 25-year-old son with autism, April 28, 2016

Health Law Advocates' (HLA) Mental Health and Substance Abuse Parity Initiative (Initiative) protects the health of those with mental illness and substance use disorders. The Initiative accomplishes its mission by improving access to treatment through a state-based advocacy system to combat discriminatory health insurance practices. HLA's advocacy challenges discrimination by making the promise of the federal and state mental health and substance use parity laws a reality for all.

The Initiative involves three interconnected strategies – providing *free* legal assistance to clients denied insurance coverage (commercial or Medicaid) for treatment, actively identifying systemic problems and leading a coalition in advocacy for policy change and enforcement of the parity laws, and conducting community education and outreach to promote parity. Each of these strategies relies on and enhances the others and involves extensive collaboration with other organizations.

HLA attorneys represent clients who cannot access the mental health or substance use treatment they need because their health plan denied coverage. We challenge these denials using the parity laws and other legal protections afforded health plan members. Advocacy organizations, health care providers and government officials play a key role referring clients to HLA for representation. HLA trains other attorneys on the parity laws to increase capacity within the bar to assist people denied coverage. The Initiative also participates in a national legal workgroup on parity organized by The Kennedy Forum to identify best practices for enforcing parity through legal action.

Anecdotes and trends that HLA identifies through our client representation shape our efforts to expand government enforcement of the parity laws and regulations and to advance voluntary compliance by carriers. It also informs our community education and outreach activities.

HLA developed and manages the Massachusetts Mental Health and Substance Abuse Parity Coalition to push key state and federal agencies to act. The Coalition brings together consumer advocacy groups, treatment providers, treatment provider associations and public interest legal service providers. The Initiative also partners closely with Community Catalyst and its national network of state-based advocates to develop the most effective strategies to bolster state and federal policies to enforce the parity laws. The policy reforms we have achieved together directly benefited HLA clients and are highlighted in our community programs.

HLA's community education and outreach programs raise awareness of the parity laws among consumers, treatment providers, attorneys, government officials and even health insurers themselves. These efforts promote self-advocacy, identify common barriers to treatment, build grassroots support for policy reform and encourage client referrals to HLA. In outreach to health plans, we convey the member experience as well as a pro-consumer analysis of the parity laws to encourage voluntary compliance.