



SETON HALL | LAW
Center for Health &
Pharmaceutical Law & Policy

The Puzzle of Parity: Implementing Behavioral Health Parity

Friday, September 16, 2016

Speaker Biographies

GARRY CARNEAL

Senior Policy Advisor, The Kennedy Forum, and Founder, Schooner Strategies



Garry Carneal is a leading expert in health care. He has researched, written and published extensively on quality, medical management, information technology, and regulatory trends. He has an established track record in helping trade associations, certification agencies, and businesses expand their health care operations nationally. During his career, Carneal has brought to market over 20 accreditation programs, which have been recognized by 45 states and three federal agencies.

Mr. Carneal now serves as the senior policy advisor for The Kennedy Forum, which is promoting a better health care system through mental health parity and other key initiatives. Among other responsibilities, he is assisting in the development of the Forum's policy positions, drafting compliance toolkits, and coordinating leadership focus groups.

He also founded Schooner Strategies in 2007. The consulting firm promotes enhanced business development strategies for its clients by leveraging technology, identifying new workflow solutions, using marketing and social media tools, engaging in research and education initiatives, and other dynamic services. He also recently founded RegQuest, an online regulatory reporting system tracking medical management and parity regulations.

Among other positions, Mr. Carneal ran URAC, a non-profit, independent organization devoted to the accreditation of health care operations. During Mr. Carneal's nine-year tenure as URAC's President & CEO, URAC diversified its quality-based mission from a single, specialty accreditation agency for utilization management to one of the premier accreditation agencies in the United States. Previously, Mr. Carneal also has served as the Vice President of Legal and State Affairs at the American Association of Health Plans (now AHIP); Legislative Counsel for Health Policy for the National Association of Insurance Commissioners; and an Attorney at Epstein, Becker and Green, P.C.

ADAM R. EASTERDAY

Deputy General Counsel, Optum – Consumer Solutions Group



Adam Easterday is Deputy General Counsel at Optum, a division of United Health Group. Adam's role includes leading the Optum legal team that supports Optum's behavioral health business, which administers mental health and substance use disorder benefits for over 33 million Americans. In this role Adam works extensively on mental health legal and regulatory issues including federal parity. Adam also represents UnitedHealth Group and Optum as a board member for the Association for Behavioral Health & Wellness, a trade association representing the leading insurance and managed care entities that provide and administer behavioral health

benefits.

RICHARD G. FRANK

Margaret T. Morris Professor of Health Economics, Department of Health Care Policy, Harvard Medical School, and former Assistant Secretary for Planning and Evaluation, U.S. Department of Health & Human Services

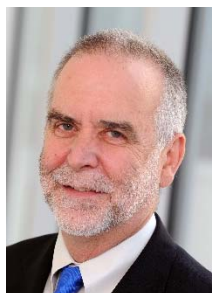


Richard G. Frank, PhD is the Margaret T. Morris Professor of Health Economics in the Department of Health Care Policy at Harvard Medical School. From 2009 to 2011, he served as the deputy assistant secretary for planning and evaluation at DHHS directing the office of Disability, Aging and Long-Term Care Policy. From 2013 to 2014 he served as a Special Advisor to the Office of the Secretary at the Department of Health and Human Services and from 2014 to 2016 he served as Assistant Secretary for Planning and Evaluation in the Department of Health and Human Services. His research is focused on the

economics of mental health and substance abuse care, long term care financing policy, health care competition, implementation of health reform and disability policy. Dr. Frank served as an editor for the Journal of Health Economics from 2005 to 2014. Dr. Frank was awarded the Georgescu-Roegen Prize from the Southern Economic Association, the Carl A. Taube Award from the American Public Health Association, and the Emily Mumford Medal from Columbia University's Department of Psychiatry. In 2011, he received the Distinguished Service Award from the Mental Health Association of Maryland. Dr. Frank also received the John Eisenberg Mentorship Award from the National Research Service Awards. He was elected to the Institute of Medicine (National Academy of Medicine) in 1997. He is co-author with Sherry Glied of the book *Better but Not Well* (Johns Hopkins Press).

JOHN V. JACOBI

Dorothea Dix Professor of Health Law & Policy, and Faculty Director, Center for Health & Pharmaceutical Law & Policy, Seton Hall University School of Law



John Jacobi is the Dorothea Dix Professor of Health Law & Policy at Seton Hall Law School. He teaches, researches, publishes, and works in the areas of health care access, finance and delivery reform, as well as disability rights and mental health discrimination. He is the Faculty Director of the Seton Hall Law School Center for Health & Pharmaceutical Law & Policy. He serves as Board Chair of the Greater Newark Healthcare Coalition, a community-provider collaborative dedicated to integrating care for Medicaid recipients in Newark, New Jersey, and as Vice-Chair of the North Jersey Community Research Initiative, an HIV service and research organization. He participates in legislative and regulatory advocacy on behalf of low and moderate income residents. He has served as Principal Investigator for research projects in health reform, health access, and behavioral health areas. He has served as Senior Associate Counsel to the Governor of New Jersey, as Assistant to the Commissioner of the New Jersey Public Advocate, and as Gibbons Fellow in Public Interest and Constitutional Law. He is a *summa cum laude* graduate of the State University College of New York at Buffalo (Mathematics and Philosophy) and a *magna cum laude* graduate of Harvard Law School.

BRADLEY E. LERNER

Associate General Counsel & Director, Parity Compliance, Beacon Health Options, Inc.



Brad Lerner is Associate General Counsel & Director of Parity Compliance for Beacon Health Options. He is a practicing lawyer and government relations professional with over 20 years of public and private sector experience analyzing and addressing regulatory issues, including complex legal and policy issues in health care. Among his duties at Beacon Health Options, Brad creates strategies to implement the Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) and the Affordable Care Act. Brad advises and reports regularly to Senior Executives on health care reform developments. Brad is currently the Co-Chair of the American Health Lawyers Association's Behavioral Task Force, In-House Counsel Subcommittee Co-Chair for 2016-17. Brad previously served as the Payors Subcommittee Co-Chair.

Brad is seen as a leading expert on MHPAEA analysis and compliance, having led numerous panel discussions and speaking engagements, including: National Council for Behavioral Health Policy Institute 2013 panel: "Perspectives on Parity from Managed Care;" Colorado Coalition for Parity Panel 2014; American Health Lawyers Association 2015 Institute on Medicare and Medicaid Payment Issues panel: "The Changing Landscape of Medicaid Coverage of Behavioral Health;" American Health Lawyers Association 2015 Annual Program in Washington DC on a panel entitled, "The MHPAEA: Recent Developments, Federal and State Interpretations, How to

Comply;" Johns Hopkins Bloomberg School of Public Health's "Closing the Mental Health and Addiction Treatment Gap Through Policy series" panel: "Advancing Research and Policy on Mental Health Addiction Parity;" Virginia Bar Association, Eleventh Annual Virginia Health Care Practitioners' Roundtable: "Federal Mental Health Parity;" Wayne Law Alumni Speaker Series: Law in the Health Industry; and American Health Lawyers Association 2016 Annual Program panel, "Federal Behavioral Health Legislative and Regulatory Activity– Turning Esoteric Policy into Concrete Action." Notably, Brad has been advising the Kennedy Forum and the Association for Behavioral Health and Wellness on parity-related issues regarding implementation.

Brad also provides legal advice and consultation to Beacon's business operations in the form of regulatory compliance information, regulatory analysis and interpretation, and contract analysis, development and negotiation. Brad also assists in formulating operational changes required by law or regulations. Finally, Brad provides routine legal counsel and advice to business operations including transactional and corporate matters.

Previously, Brad has worked as a regulatory attorney at the Federal Communications Commission and as in-house counsel at Cavalier Telephone, LLC. Brad holds a BA in English from the University of Michigan and a JD from Wayne State University Law School.

CLARE MCGORRIAN

**Senior Staff Attorney and Director, Mental Health Parity and Addiction Equity Initiative,
Health Law Advocates, Massachusetts**



Clare McGorrian is Senior Staff Attorney and Director of the Mental Health and Addiction Parity Initiative at Health Law Advocates (HLA), a public interest law firm in Boston. Clare also leads HLA's Commercial Insurance Appeals Program. Clare has specialized in consumer health care law for almost 20 years, at HLA (1997-2005 and 2013-present) and in private practice (2005-2013). Among other accomplishments, Clare led HLA's successful litigation to improve access to dental care for Medicaid-eligible children in Massachusetts. Currently at HLA Clare represents clients in appealing adverse health plan decisions, with a focus on cases involving mental health and substance use disorder care. She also frequently provides legal expertise to partner organization Health Care For All with respect to policy initiatives. Clare has written and presented extensively on legal topics related to health care access, including mental health parity. Clare is an adjunct professor at New England Law Boston and Suffolk University Law School. She is a graduate of Northeastern University School of Law and Harvard College.

LAURA MORRIS
Assistant Healthcare Advocate, Office of the Healthcare Advocate,
State of Connecticut



Laura brings a multidimensional skill set to the Office of the Healthcare Advocate (OHA). With more than ten years as a litigation paralegal specializing in intellectual property and family law, and eight years working as a Principal Investigator for the Connecticut Children's Medical Center on community based research and directly with clients of the Connecticut Department of Children and Families, she has unique insights into the needs of Connecticut's consumers.

In her role as OHA's Assistant Healthcare Advocate, she oversees the daily operations of the agency and provides subject matter expertise to staff as needed. Laura also directs the consumer engagement and advocacy processes at OHA, which includes significant community outreach and education for all stakeholders of Connecticut's healthcare system. In addition, she represents OHA in multiple settings to ensure that the consumer's voice remains an integral part of policy decisions made by these bodies. Finally, she directly assists consumers with appeals of adverse health plan decisions, and frequently provides expert guidance for behavioral health and addiction services.

This diverse experience uniquely positions her for a leadership role engaging in several Revenue Enhancement projects with other Connecticut state agencies to maximize the use of commercial health plans. Laura regularly participates in initiatives to promote awareness of consumer rights concerning mental health services and parity, bringing OHA's client experience, and data, to the table so that policymakers have a comprehensive understanding of the consumer's experience.

Laura joined OHA in 2011 to manage and implement a Consumer Assistance Program Grant received from the Centers for Medicare and Medicaid Services, Center for Consumer Information and Oversight to manage and implement the ACA requirements for the state's consumer assistance program.

Laura received her Master's Degree in Public Health from Southern Connecticut State University and her Bachelors of Arts in English and Journalism from Central Connecticut State University.

IRVIN L. "SAM" MUSZYNSKI, JD

**Senior Policy Advisor and Director of Parity Implementation and Enforcement,
American Psychiatric Association**



Irvin L. "Sam" Muszynski currently serves as Senior Policy Advisor and Director of Parity Implementation and Enforcement at the American Psychiatric Association, a professional membership association headquartered in Arlington, Virginia representing over 36,000 physicians. He is responsible for the association's external and internal analysis activities regarding mental health and substance use disorder parity, health insurance, reimbursement matters, and formulary policy, including relations with the insurance and managed care industry, corporate purchasers of health care, and Medicare/Medicaid reimbursement. Earlier in his career he served as the association's Director of the Office of Economic Affairs.

From 1985 to 1998, Sam was Manager of the Washington, D.C. office of Goldman, Marshall & Muszynski, a health care law firm; and Managing Director of the National Association of Addiction Treatment Providers, a trade association representing over 450 specialty health care providers. He was responsible for a variety of legal transactional matters for health care providers including contracting, payor audits, and compliance activities.

Sam received his B.S. and M.S.W. from the University of Illinois, and his J.D. from George Mason University School of Law.

TARA ADAMS RAGONE

**Assistant Professor, Center for Health & Pharmaceutical Law & Policy,
Seton Hall University School of Law**



Tara Adams Ragone's research and writing for the Center focus on implementation of health care reform, integration of behavioral and physical health care, accountable care organizations, health care access, prescription drug abuse, and issues related to the representation of health care professionals. Presently, she is the project manager of The Sentinel Project, a project funded by the Robert Wood Johnson Foundation to assess New Jersey health plans' compliance with the Affordable Care Act.

Tara came to Seton Hall Law from the State of New Jersey, Office of the Attorney General, Division of Law, where she served as Deputy Attorney General in the Professional Boards Prosecution Section. She primarily prosecuted licensing actions before the State Board of Medical Examiners and the Office of Administrative Law and represented the State in federal civil rights

actions brought by licensees. She also twice appeared before the Supreme Court of New Jersey in a case of first impression involving a commercial speech challenge to the Court's Rule of Professional Conduct governing attorney firm names.

Tara received her B.A. in Government and Philosophy, *summa cum laude*, from the College of William and Mary, where she was a member of Phi Beta Kappa. After college, she worked on a variety of domestic policy issues, including campaign finance reform, as a research assistant and verifier at the Brookings Institution in Washington, D.C. Tara graduated *magna cum laude* from New York University School of Law, where she was a Root-Tilden-Kern Public Service Scholar and was elected to the Order of the Coif.

Before joining the New Jersey Attorney General's Office, Tara served as a law clerk to the Honorable Allyn R. Ross of the U.S. District Court for the Eastern District of New York and the Honorable Robert A. Katzmann of the U.S. Court of Appeals for the Second Circuit.

MICHAEL D. REISMAN

**Assistant Attorney General, Health Care Bureau,
New York State Office of the Attorney General**



Michael D. Reisman has been an Assistant Attorney General in the Health Care Bureau of the Office of the New York State Attorney General since 2012, where he investigates and brings enforcement actions against insurers, providers, drug companies and other individuals and entities that engage in fraudulent, misleading, deceptive, or illegal practices in the health care market. Prior to joining the Attorney General's Office, he was a commercial litigator with several national law firms, handling health care, commercial, intellectual property, antitrust, and civil rights litigation in courts around the country. In his pro bono practice, he played a central role in several cases that advanced the rights of consumers in the New York City and New Jersey mental health systems. Prior to receiving his law degree from the Benjamin N. Cardozo School of Law, Mr. Reisman was a therapist in inpatient and outpatient mental health facilities in California, New York City, and the Czech Republic, where he was a Fulbright Scholar and lived for four years. He has an M.A. in Psychology from the California Institute of Integral Studies and a B.A. from Williams College.

ELIZABETH SPRING

Attorney IV, California Department of Managed Health Care (DMHC)



Elizabeth Spring is DMHC's lead attorney for implementing federal and state law governing mental health and substance use disorder coverage. She directed the Department's legal, actuarial, and clinical review of plan filings submitted in 2014-2015 to demonstrate compliance with the Mental Health Parity and Addiction Equity Act and continues as a key member of the MHPAEA review team as it conducts onsite surveys of plan compliance. Previously, she directed the Department's evaluation of plan compliance with the Affordable Care Act's requirements for essential health benefits and with California's SB 946, the mandate to provide behavioral health treatment for autism. Her first work at DMHC focused on drafting regulations, analyzing health care bills, and in reviewing compliance by several large HMO plans with the Knox-Keene Act and Medicaid regulations. Prior to working for the DMHC, Ms. Spring directed regional marketing, contracting, and publicity activities for national rehabilitation companies specializing in prosthetics and orthotics.

ELLEN WEBER

**Professor, University of Maryland Carey School of Law, and
Vice President for Health Initiatives, Legal Action Center**



Ellen Weber created the Drug Policy Clinic to address practices that inhibit the expansion of drug treatment in communities and the criminal justice system and discriminate against individuals with histories of drug dependence. Ellen's interest in a multi-strategy legal practice, including legislative advocacy, individual client representation, and community organizing and education, is reflected in the clinic's work. She researches and writes in the areas of disability rights, women's treatment and the child welfare system, the development and analysis of state and national drug policy, the integration of addiction treatment in mainstream medical practice, and the delivery of addiction treatment services under health care reform.

Ellen joined the law school faculty in 2002 after serving as the Senior Vice President for the Legal Action Center, a public interest law firm that specializes in drug, AIDS, and criminal justice issues. At the Center, she litigated disability rights and privacy cases, participated in federal legislative advocacy on civil rights, health care reform, and appropriations issues, and conducted education and policy work on health privacy and offender re-entry. She has recently returned to the Center to help lead its health care initiatives.

Ellen began her legal career as a trial attorney with the Department of Justice, Civil Rights Division, where she litigated Voting Rights Act cases that challenged discriminatory state and congressional reapportionment plans and local electoral systems. She received her law degree from New York University School of Law, where she served as an editor on the Review of Law and Social Change.
