

**Vorys Chart: Mental Health Parity Provisions of the 21<sup>st</sup> Century Cures Act**

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| 21st Century Cures Act provision                                | Responsible entity    | What   | When   |
|---|-----------------------|--|--|
| Compliance Program Guidance Document [§13001(a)]                | HHS, DOL and Treasury | The document is intended to “help improve compliance” with the Mental Health Parity and Addiction Equity Act (MHPAEA) and will include:<br>(a) examples of previous findings of compliance and noncompliance with the MHPAEA (including with respect to the application of non-quantitative treatment limitations), based on investigations; and (b) recommendations for internal controls to monitor compliance.<br><br>In connection with developing the document, the agencies are to enter into agreements to share information on investigations among themselves and states. | Within 12 months of enactment, with updates every two years  |
| Additional guidance to plans [§13001(b)]                        | HHS, DOL and Treasury | The guidance will provide clarifying information and illustrative examples of methods that plans may use for disclosing information to individuals so that individuals can confirm the plan’s compliance with the MHPAEA (including with respect to non-quantitative treatment limitations).   | Within 12 months of enactment, allowing for at least 60 days for public comment on a draft                               |
| Public feedback on availability of plan information [§13001(c)] | HHS, DOL and Treasury | The agencies are to solicit and publish public feedback as to how the process by which plans disclose MHPAEA compliance information to individuals can be improved. The agencies are to share information with the National Association of Insurance Commissioners (NAIC).   | Request for public feedback within six months of enactment; publication of public feedback within 12 months of enactment |
| Mandatory audits [§13001(d)]                                    | HHS, DOL and Treasury | The responsible agency must audit the plan documents of a plan or health insurance issuer that has been found to have violated the MHPAEA at least five times. This is in addition to audit rights under existing law.   | No specified deadline  |

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|---|--------------------|---|--|
| Meeting and action plan [§13002]                                | HHS                | HHS is to convene a meeting of stakeholders including the DOL, Treasury, and representatives from state government, the NAIC, health insurance issuers, healthcare providers, employers, and patient advocates with the goal of developing an action plan for improved Federal and state coordination for enforcing the MHPAEA. | Public meeting within six months of enactment, with publication within six months of the meeting |
| Report on investigations [§13003]                               | DOL                | The DOL is to submit a report to Congress summarizing the results of Federal investigations of MHPAEA compliance completed during the preceding 12 months, including findings of serious violations.  | Within 12 months of enactment and annually for the following five years                          |
| Generally Accounting Office (GAO) study [§13004]                | GAO                | The GAO is to submit a report to Congress on the extent to which group health plans, health insurance issuers, Medicaid and CHIP comply with the MHPAEA.  | Within three years of enactment  |
| Information on eating disorders [§§13005 and 13006]             | HHS                | HHS is to update information on eating disorders on its website, increase public awareness of eating disorders, and identify model programs.  | No specified deadline  |
| Status of eating disorders as mental health conditions [§13007] | N/A                | If a plan covers eating disorders, the coverage must be on par with medical surgical benefits.  | Clarification of current law   |