



A Proposed Rule to Make Mental Health Parity a Reality

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From Day One, President Biden has put the full force of government behind tackling the mental health crisis. Under the Biden-Harris administration, the Department of Labor has dedicated an unprecedented amount of time and resources to bringing health plans into compliance with mental health parity, by working to ensure that when a person seeks treatment for a mental health condition or substance use disorder under the health coverage that they were promised through their employment, that treatment is available just as easily as it is for any medical condition. We also recognize that there is an immense amount of work left to do.



That's why the Department of Labor, along with our federal partners at the Departments of Health and Human Services and the Treasury, [proposed a rule that is intended to make meaningful progress on the path to parity.](#)

We've said it over and over – mental health is essential to our overall health and quality of life, just as much as physical health. Now, more than ever, we are experiencing a mental health and substance use disorder crisis that intensified as a result of the COVID-19 pandemic. Over the past several years, America's workers and their families have faced unprecedented challenges. Nearly 50 million Americans are currently living with a mental illness, yet people seeking mental health and substance use disorder care continue to face discrimination and stigma. It can require an awful lot of courage to ask for help when it comes to mental health or substance use disorder care. And when individuals do reach out for help, too often they are then forced to jump through staggering hoops to get the care they want and need – in ways that we simply do not see for medical or surgical care. The [2023 Report to Congress](#) on the Mental Health Parity and Addiction Equity Act that we also issued is evidence of what we are continuing to see in our enforcement efforts, and the continued work that needs to be done.

At its core, the proposed rule focuses on ensuring that Americans do not face roadblocks and barriers to getting mental health and substance use disorder treatment that they don't face when seeking medical benefits. Consistent with this goal, the proposed rule would also require health plans and insurance companies to show their MHPAEA compliance – not just with words – but with data to demonstrate what effect the limits they place on benefits have on a person's access to treatment. The proposed rule also specifically focuses on how plans construct their provider networks, which is a key factor that impacts a person's ability to access care. If a person needs mental health or substance use disorder care but can't reasonably access a provider in their plan's network to get that care, we are not doing right by them.

This proposed rule would ensure that MHPAEA compliance takes a people-centered approach that will allow us to see whether our efforts towards obtaining compliance in parity actually make a difference for the people we serve. And while the goal here is clear, it will take effort from so many to achieve this. The proposed rule, if finalized, would represent a significant step forward for Americans who need mental health and substance use disorder treatment.

We need to do better, and I am confident that, together, we can do better. While we have seen some improvements, we simply cannot afford to continue to wait to see meaningful results for people who are simply seeking better mental health.

We want your feedback: [Read the full text of the proposed rule and learn how to submit comments here.](#)

In the meantime, please call 988 if you are in crisis, and if you need support for a mental health condition or a substance use disorder, visit [FindSupport.gov](#). If you're experiencing issues with your mental health or substance use disorder benefits, please call EBSA toll-free at 866-444-3272. We're here to help.

Lisa M. Gomez is the assistant secretary of labor for employee benefits security.

Tags: [mental health](#), [Mental Health Parity and Addiction Equity Act](#), [Employee Benefits Security Administration](#), [health benefits](#), [health benefit plans](#), [healthcare](#), [health care](#), [health care rights](#), [proposed rule](#), [mental health parity](#), [substance use disorder](#)

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