Appendix: MHPAEA Guidance Compendium

In issuing its annual report on investigations of parity in mental health and substance use disorder benefits, the Department of Labor (DOL), in collaboration with the Department of Health and Human Services (HHS) and the Department of the Treasury (collectively, the Departments), is referencing any guidance the Departments have provided to address the category of violation committed. This document provides the citations to the MHPAEA Final and Interim Final Rules and the guidance the Departments have issued for each category of violation cited in DOL’s and HHS’s FY22 MHPAEA Enforcement Fact Sheet. Additional materials that the Departments produced (including the annual reports on investigations) may also be found at: https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/mental-health-and-substance-use-disorder-parity and https://www.cms.gov/cciio/programs-and-initiatives/other-insurance-protections/mhpaea_factsheet.html.

<table>
<thead>
<tr>
<th>Rules and Guidance Issued, Including for Categories of Violations Identified in FY 2022</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. The Departments’ MHPAEA Rules</strong>&lt;br&gt;(26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136)</td>
<td></td>
</tr>
<tr>
<td>A. <strong>Final Rules</strong> (Published 11/13/2013)</td>
<td>78 FR 68240</td>
</tr>
<tr>
<td>B. <strong>Interim Final Rules</strong> (Published 2/2/2010)</td>
<td>75 FR 5410</td>
</tr>
<tr>
<td><strong>II. The Departments’ MHPAEA Guidance</strong></td>
<td></td>
</tr>
<tr>
<td>A. <strong>Application of MHPAEA</strong></td>
<td></td>
</tr>
<tr>
<td>1) <strong>FAQs About Affordable Care Act Implementation Part V and Mental Health Parity Implementation</strong> (Issued 12/22/2010)</td>
<td>Question Nos. 8, 11</td>
</tr>
<tr>
<td>2) <strong>Understanding Implementation of the Mental Health Parity and Addiction Equity Act of 2008</strong> (Issued 5/9/2012)</td>
<td>Questions Nos. 4-5, 7-8</td>
</tr>
<tr>
<td>3) <strong>FAQs About Affordable Care Act Implementation (Part XVII) and Mental Health Parity Implementation</strong> (Issued 11/8/2013)</td>
<td>Question Nos. 1-3, 5-7</td>
</tr>
<tr>
<td>4) <strong>FAQs About Affordable Care Act Implementation (Part XVIII) and Mental Health Parity Implementation</strong> (Issued 1/9/2014)</td>
<td>Question No. 12</td>
</tr>
</tbody>
</table>

1 See section 13003(a) of the 21st Century Cures Act, as amended by section 7182 of the SUPPORT for Patients and Communities Act.
<table>
<thead>
<tr>
<th>Rules and Guidance Issued, Including for Categories of Violations Identified in FY 2022</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>5) <a href="https://example.com">FAQs About Affordable Care Act Implementation Part 31, Mental Health Parity Implementation, and Women’s Health and Cancer Rights Act Implementation</a> (Issued 4/20/2016)</td>
<td>Question No. 11</td>
</tr>
<tr>
<td>6) <a href="https://example.com">ACA and MHPAEA Frequently Asked Questions, Part 38</a> (Issued 6/16/2017)</td>
<td>Question No. 1</td>
</tr>
</tbody>
</table>

**B. Benefits in All Classifications**

1) [FAQs on Implementation of MHPAEA](https://example.com) (Issued 5/9/2012) | Question No. 4 |
2) [Compliance Assistance Guide](https://example.com) (Issued 11/19/2014) | Pages 41-48 |
3) [2020 MHPAEA Self Compliance Tool](https://example.com) (Issued 10/23/2020) | Section B |

**C. Annual and Lifetime Dollar Limits**

1) [FAQs on Implementation of MHPAEA](https://example.com) (Issued 5/9/2012) | Introduction |
2) [Compliance Assistance Guide](https://example.com) (Issued 11/19/2014) | Pages 41-48 |
3) [2020 MHPAEA Self Compliance Tool](https://example.com) (Issued 10/23/2020) | Section C |

**D. Financial Limitations and Quantitative Treatment Limitations (QTLs)**

1) [FAQs on MHPAEA Outpatient Classification](https://example.com) (Issued 6/30/2010) | Question No. 1 |
2) [ACA and MHPAEA Frequently Asked Questions, Part VII](https://example.com) (Issued 11/17/2011) | Question No. 7 |
3) [Compliance Assistance Guide](https://example.com) (Issued 11/19/2014) | Pages 41-48 |
4) [FAQs About Affordable Care Act Implementation Part 31, Mental Health Parity Implementation, and Women’s Health and Cancer Rights Act Implementation](https://example.com) (Issued 4/20/2016) | Question Nos. 8 |
5) [FAQs About Affordable Care Act Implementation Part 34 and Mental Health and Substance Use Disorder Parity Implementation](https://example.com) (Issued 10/27/2016) | Question No. 3 |
6) [FAQs About Families First Coronavirus Response Act and Coronavirus Aid, Relief, And Economic Security Act Implementation Part 43](https://example.com) (Issued 06/23/2020) | Question No. 16 |
<table>
<thead>
<tr>
<th>Rules and Guidance Issued, Including for Categories of Violations Identified in FY 2022</th>
<th>Reference</th>
</tr>
</thead>
</table>

**E. Non-Quantitative Treatment Limitations (NQTLs)**


3) [Compliance Assistance Guide](https://www.hrsa.gov/mhpa/compliance-assistance-guide) (Issued 11/19/2014) | Pages 41-48 |

4) [Warning Signs: Plan or Policy NQTLs that Require Additional Analysis to Determine MHPAEA Compliance](https://www.hrsa.gov/mhpa/2016-warning-signs-plan-policy-nqtls-require-additional-analysis-determine-mhpaea-compliance) (Issued 6/1/2016) | Pages 1-3 |

5) [FAQs About Affordable Care Act Implementation Part 34 and Mental Health and Substance Use Disorder Parity Implementation](https://www.hrsa.gov/mhpa/2016-faq-series-part-34) (Issued 10/27/2016) | Questions Nos. 4-9 |

6) [ACA and MHPAEA Frequently Asked Questions, Part 38](https://www.hrsa.gov/mhpa/aca-faq-part-38) (Issued 6/16/2017) | Question No. 1 |


**F. Disclosures**

1) [FAQs About Affordable Care Act Implementation Part V and Mental Health Parity Implementation](https://www.hrsa.gov/mhpa/aca-faq-series-part-v) (Issued 12/22/2010) | Question Nos. 9-10 |

2) [FAQs About Affordable Care Act Implementation (Part XVII) and Mental Health Parity Implementation](https://www.hrsa.gov/mhpa/aca-faq-series-part-xvii) (Issued 11/8/2013) | Question Nos. 3, 8-9. |

3) [FAQs About Affordable Care Act Implementation (Part XXIX) and Mental Health Parity Implementation](https://www.hrsa.gov/mhpa/aca-faq-series-part-xxix) (Issued 10/23/2015) | Question Nos. 12-13 |
<table>
<thead>
<tr>
<th>Rules and Guidance Issued, Including for Categories of Violations Identified in FY 2022</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>4) <strong>FAQs About Affordable Care Act Implementation Part 31, Mental Health Parity Implementation, and Women’s Health and Cancer Rights Act Implementation</strong> (Issued 4/20/2016)</td>
<td>Question Nos. 9-10</td>
</tr>
<tr>
<td>5) <strong>FAQs About Mental Health and Substance Use Disorder Parity Implementation and the 21st Century Cures Act part 39</strong> (Issued 9/5/2019)</td>
<td>Questions Nos. 9-11, Final MHPAEA Disclosure Template</td>
</tr>
<tr>
<td>6) <strong>FAQs About Mental Health and Substance Use Disorder Parity Implementation and the Consolidated Appropriations Act, 2021 Part 45</strong> (Issued 4/2/2021)</td>
<td>Question No. 6</td>
</tr>
</tbody>
</table>

**G. Enforcement & Implementation**

<table>
<thead>
<tr>
<th>1) <strong>Understanding Implementation of the Mental Health Parity and Addiction Equity Act of 2008</strong> (Issued 5/9/2012)</th>
<th>Questions Nos. 1-3, 9-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>2) <strong>FAQs About Affordable Care Act Implementation (Part XVII) and Mental Health Parity Implementation</strong> (Issued 11/8/2013)</td>
<td>Question No. 4</td>
</tr>
<tr>
<td>3) <strong>FAQs About Affordable Care Act Implementation Part 34 and Mental Health and Substance Use Disorder Parity Implementation</strong> (Issued 10/27/2016)</td>
<td>Question No. 2</td>
</tr>
<tr>
<td>4) <strong>FAQs About Mental Health and Substance Use Disorder Parity Implementation and the Consolidated Appropriations Act, 2021 Part 45</strong> (Issued 4/2/2021)</td>
<td>Questions Nos. 1-9</td>
</tr>
</tbody>
</table>
EBSA Regional Offices - EBSA has ten regional offices (and three district offices) with benefits advisors who provide individual assistance and investigators who conduct health plan investigations under ERISA, including the requirements of MHPAEA compliance. EBSA’s regional offices can be contacted at askEBSA.dol.gov or 1-866-444-3272, and are in the following locations:

Atlanta Regional Office
61 Forsyth St, SW, Ste 7B54
Atlanta, GA 30303
Tel (404) 302-3900
Fax (404) 302-3975

Boston Regional Office
JFK Federal Bldg
15 New Sudbury St, Ste 575
Boston, MA 02203
Tel (617) 565-9600
Fax (617) 565-9666

Chicago Regional Office
John C. Kluczynski Federal Bldg
230 S. Dearborn Street, Ste 2160
Chicago, IL 60604
Tel (312) 353-0900
Fax (312) 353-1023

Cincinnati Regional Office
1885 Dixie Hwy, Ste 210
Ft. Wright, KY 41011-2664
Tel (859) 578-4680
Fax (859) 578-4688

Dallas Regional Office
525 South Griffin St, Ste 900
Dallas, TX 75202-5025
Tel (972) 850-4500
Fax (214) 767-1055

Kansas City Regional Office
2300 Main St, Ste 1100
Kansas City, MO 64108
Tel (816) 285-1800
Fax (816) 285-1888

Los Angeles Regional Office
35 N. Lake Ave., Ste 300
Pasadena, CA 91101
Tel (626) 229-1000
Fax (626) 229-1098

Miami District Office
1000 S Pine Island Road, Ste 100
Plantation, FL 33324
Tel (954) 424-4022
Fax (954) 424-0548

New York Regional Office
201 Varick St, Room 746
New York, NY 10014
Tel (212) 607-8600
Fax (212) 607-8681

Philadelphia Regional Office
1835 Market Street, 21st Floor
Mailstop EBSA/21
Philadelphia, PA 19103-2968
Tel (215) 861-5300
Fax (215) 861-5347

San Francisco Regional Office
90 7th St, Ste 11-300
San Francisco, CA 94103
Tel (415) 625-2481
Fax (415) 625-2450

Seattle District Office
300 Fifth Avenue, Ste 1110
Seattle, WA 98104
Tel (206) 757-6781
Fax (206) 757-6662

Washington District Office
1335 East-West Hwy, Ste 200
Silver Spring, MD 20910
Tel (202) 693-8700
Fax (202) 693-8736