PUBLIC SUBMISSION

Docket: CMS-2009-0040
The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008

Comment On: CMS-2009-0040-0048
Interim Final Rules under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008

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DC

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General Comment

See attached McGuire pdf file;

Attachments

CMS-2009-0040-DRAFT-0053.1: DC
Obama Administration Issues Rules Requiring Parity in Treatment of Mental, Substance Use Disorders

FOR IMMEDIATE RELEASE
Friday, January 29, 2010

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Paul Wellstone, Pete Domenicl Parity Act Prohibits Discrimination

The Departments of Health and Human Services, Labor and the Treasury today jointly issued new rules providing parity for consumers covered in group health plans who need treatment for mental health or substance use disorders.

"The rules we are issuing today will, for the first time, help assure that those diagnosed with these debilitating and sometimes life-threatening disorders will not suffer needless or arbitrary limits on their care," said Secretary Sebelius. "I applaud the long-standing and bipartisan effort that made these important new protections possible."

"Today's rules will bring needed relief to families faced with the cost of obtaining mental health and substance abuse services," said U.S. Secretary of Labor Hilda L. Solis. "The benefits will give these Americans access to greatly needed medical treatment, which will better allow them to participate fully in society. That's not just sound policy, it's the right thing to do."

"Workers covered by group health plans who need mental health and substance abuse care deserve fair treatment," said Deputy Treasury Secretary Neal Wolin. "These rules expand on existing protections to ensure that people don't face unnecessary barriers to the treatment they need."

The new rules prohibit group health insurance plans—typically offered by employers—from restricting access to care by limiting benefits and requiring higher patient costs than those that apply to general medical or surgical benefits. The rules implement the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA).

MHPAEA greatly expands on an earlier law, the Mental Health Parity Act of 1996 which required parity only in aggregate lifetime and annual dollar limits between the categories of benefits and did not extend to substance use disorder benefits.

The Departments of Labor, Health, and Human Services and the Internal Revenue Service should be identified by REG-120692-09. Comments to the Department of Labor should be identified by RN 1210-AB30. Comments to the Treasury's Internal Revenue Service should be identified by REG-120692-09. Comments may be sent to any of the three departments and will be shared with the other departments. Please do not submit duplicates.

MHPAEA applies to employers with 50 or more workers whose group health plan chooses to offer mental health or substance use disorder benefits. The MHPAEA applies to the two categories of benefits that have historically been subject to parity standards—medical and surgical benefits and mental health or substance use disorder benefits. The new rules are effective for plan years beginning on or after July 1, 2010.

The Wellstone-Domenici Act is named for two dominant figures in the quest for equal treatment of benefits. The late Senator Paul Wellstone (D-MN), who was a vocal advocate for parity throughout his Senate career, sponsored the ultimately successful full parity act. He was joined by former Senator Pete Domenici (R-NM) who first introduced legislation to require parity in 1992. Champions of the legislation also included the bipartisan team of Representative Patrick Kennedy (D-RI) and former Representative Jim Ramstad (R-MN).

The issue of parity dates back over 40 years to President John F. Kennedy, and was also supported by President Clinton and the late Senator Edward Kennedy.

The interim final rules released today were developed based on the departments' review of more than 400 public comments and will be shared with the other departments. Please do not submit duplicates.

Note: All HHS press releases, fact sheets and other press materials are available at http://www.hhs.gov/news/

Last revised: January 29, 2010

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U.S. Department of Health & Human Services

1/29/2010
A Healthcare Vision in the Works

Let us assume that by some kind of organization we were able to increase our to an extent sufficient for treating large masses of people, then on the other hand, one may reasonably expect that of some time or other the conscience of The Community will awake and admonish it that the poor man has just as much right to help for his mind, as he now has The Surgeon's means of saving life, and that the neuroses menace to the health of a people, no less than Tuberculosis, and can be handled of individuals, then clinics and consultation-departments will be built, to which analytically trained physicians will be appointed, so that the men who would otherwise give way to drink, the women who have nearly succumbed under
Their burden of Privation, the children for whom there is no choice but running wild or Neurosis, may be made by analysis able to resist and able to do something in the world."

Sigmund Freud's Clinical Theory addressed lecture, before the Fifth International Psycho-Analytical Congress in Budapest, Sept 1918.

The rules requiring parity in Treatment of Mental Substance use disorder, right on the money by the professional Father of psycho-Analysies.

Gilbert L. McGuire
Washington, D.C., 20032.
E-mail, code con...  

Reg.-12692-09

To: HHS. Department of Health

Re: Rules Requiring Parity in Treatments of Mental, Substance use Disorder;
A Healthcare Vision in The Works

This treatment will be true. It may be a long time before the state regards this as an urgent duty. Present conditions may delay its arrival even longer; probably these institutions will be first be started by private beneficence; some time or other, however, it must come."

Sigmund Freud's Clinical Theory addressed lecture before The Fifth international Psycho-Analytical Congress in Budapest, Sept. 1918.

I think the rule is over due.

Gilbert T. McGeary

Washington, D.C. 30032
A Healthcare Vision in The Works

Now in conclusion I will cast a glance at a situation which belongs to The Future - one that will seem fantastic to many of you, but which I think, nevertheless, deserves that we should be prepared for it in our minds. You know that the therapeutic effects we can achieve are very inconsiderable in number. We are but a handful of people, and even by working hard each on of us deal in a year with only a small number of persons. Against the vast amount of neurotic misery which is in The World, and perhaps need not be, the quantity we can do away with is almost negligible; beside this, the necessities of our own existence limit our work to the well-to-do classes, accustomed to choose their own physicians, whose choice is diverted away from psycho-analysis
by all kinds of prejudice at present
we can do nothing in. The crowded ranks
of the people, who suffer excessively
from neuroses.

Sigmund Freud's Clinical Theory
addressed lecture before the Fifth
International Psycho-Analytical Congress
in Budapest, Sept. 1918.

I think the rule is overdue.

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