

From: Fameree, Jo
To: [e-ohpsca-faq39 - EBSA](#)
Subject: Comment Regarding Q5 for Proposed FAQ39
Date: Tuesday, May 15, 2018 6:34:56 PM

Can you please explain how a general exclusion for items and services to treat bipolar disorders including prescription drugs would be compliant with the requirements of 45 CFR 146.136(a), which states in part:

Mental health benefits means benefits with respect to items or services for mental health conditions, as defined under the terms of the [plan](#) or [health insurance coverage](#) and in accordance with applicable Federal and [State](#) law. ***Any condition defined by the plan or coverage as being or as not being a mental health condition must be defined to be consistent with generally recognized independent standards of current medical practice*** (for example, the most current version of the Diagnostic and Statistical Manual of Mental Disorders (DSM), the most current version of the ICD, or [State](#) guidelines).

DIFFICULT ROADS OFTEN LEAD TO **BEAUTIFUL DESTINATIONS!!!**

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