

June 22, 2018

Office of Information and Regulatory Affairs
Atn: OMB Desk Office for DOL-EBSA
Office of Management and Budget
Room 10235
725 17th Street NW
Washington, DC 20503

Re: Request for Comments – Mental Health Parity and Addiction
Equity Act Notices

Submitted Electronically: OIRA_submission@omb.eop.gov

Dear Sir/Madam:

UnitedHealth Group (UHG) is writing in response to a Request for Comments (RFC) regarding a proposed form for use by individuals to request certain information from a group health plan or health insurer with respect to mental health and substance use disorder benefits. The RFC was published in the *Federal Register* on May 2, 2018 (83 Fed. Reg. 19299).

UHG is dedicated to helping people live healthier lives and making our nation's health care system work better for everyone through two distinct business platforms – UnitedHealthcare, our health benefits business, and Optum, our health services business. Our workforce of 285,000 people serves the health care needs of nearly 140 million people worldwide, funding and arranging health care on behalf of individuals, employers, and the government. As America's most diversified health and well-being company, we not only serve many of the country's most respected employers, we are also the nation's largest Medicare health plan – serving nearly one in five seniors nationwide – and one of the largest Medicaid health plans, supporting underserved communities in 28 States and the District of Columbia.

As a recognized leader in the health and well-being industry, we strive to improve the quality and effectiveness of health care for all Americans, enhance access to health benefits, create products and services that make health care more affordable, and use technology to make the health care system easier to navigate.

UHG continues to support the comments we submitted in September 2017 on the draft form to request documentation from an Employer-Sponsored Health Plan or an Insurer concerning treatment limitations.¹ A copy of our comment letter is attached for your reference. In our letter we stated that the use of a model disclosure form may have some utility for individuals in limited circumstances. We

¹ UnitedHealth Group letter in response to the Tri-Agency Request for Comments – FAQs About Mental Health & Substance Use Disorder Parity Implementation & the 21st Century Cures Act Part 38 (September 12, 2017).

noted, however, a few issues with such an approach for the tri-agencies to consider. We believe that the disclosure form should: (1) be optional not mandatory; (2) not duplicate existing disclosure forms and processes; and (3) be streamlined and as consumer-friendly as possible for all stakeholders. With respect to the first item, the Departments have indicated the form is intended as a model and not a mandatory form and we support this approach.

UHG suggests that the recently released draft form should be revised to thoroughly explain or correct the following:

- That, in addition to contacting the Department of Health and Human Services, Department of Labor or state insurance department, individuals should first reach out to their group health plan or insurer for information about what is covered and how treatment or financial limits may be applied or refer to existing disclosures such as their summary plan description, certificate of coverage or health plan website.
- Plans and insurers have separate procedures for handling appeals of benefit or claim denials. The individual should follow those procedures when filing an appeal or requesting documentation from the plan or insurer related to the appeal.
- The role of designated representatives and that plans and insurers may ask the individual to specifically designate their representative (in part, to protect the privacy rights of the individual) should be addressed within the instructions.
- Plans and insurers have 30 days from the date they receive the form to respond, not 30 days from the date written on the form as is currently indicated on the draft form.

Thank you for the opportunity to comment. Please feel free to contact us if you have any questions.

Sincerely,



Martha R. Temple
CEO Optum Behavioral Health

Cc: U.S. Department of Labor Chief Information Officer
DOL_PRA_PUBLIC@dol.gov

Attachment