



July 24, 2020

Via email to e-ohpsca-MHPAEA-SCT-2020@dol.gov

U.S. Department of Labor
Employee Benefits Security Administration
200 Constitution Ave NW
Washington, DC 20210

Re: Proposed Updates to 2020 MHPAEA Self-Compliance Tool

To Whom It May Concern,

Thank you to the Department of Labor (DOL) for proposing these updates to the Mental Health Parity and Addiction Equity Act (MHPAEA) self-compliance tool in the continued effort to help health plan sponsors, benefit administrators, and health plan issuers comply with the federal parity law and implementing regulations. URAC greatly appreciates the opportunity to provide comments about the need for uniformity in any mental health parity analysis and our role to support your efforts.

For background, URAC is an independent, non-profit national health care organization focused on improving the care delivered to patients through accreditation, certification, and measurement. Now in our 30th year, we offer more than two dozen accreditation and certification programs addressing numerous segments of the health care market including health plans, utilization management, pharmacy operations, drug benefit management, medical management, clinical integration, telehealth and mental health parity.

URAC has unique insight given our 30 years of history accrediting managed care organizations managing medical, behavioral health and pharmacy benefits. We have taken our three decades of knowledge and created our Mental Health and Substance Use Disorder Parity Program ([Parity Program](#)) to support employers, insurers and regulators efforts to comply with MHPAEA and deliver better care to patients. In response to the disparate approaches among health plans and behavioral health benefit administrators, URAC developed a framework for all stakeholders to organize data to comply with federal and state parity requirements.

URAC's framework includes an organized set of mental health and substance use disorder standards that health plans or benefit administrators must meet in order to comply with parity requirements. URAC's ParityManager™ enterprise software tool allows health plans and benefit administrators to efficiently use our framework to organize and analyze their own compliance via a web-based, secure platform. URAC's ParityManager™ also allows organizations to produce reports as evidence of their compliance efforts.

While we don't have an opinion on the technical updates proposed to the self-compliance tool, we are encouraged by your continued efforts to help health plans develop comprehensive parity compliance programs, including the new updates to the "warning signs". In our experience with health plans, many of them are still trying to develop a comprehensive compliance program and

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- Academy of Managed Care Pharmacy
- American Association of Preferred Provider Organizations
- American Health Quality Association
- American Hospital Association
- American Insurance Association
- American Medical Association
- American Nurses Association
- American Psychiatric Association
- Blue Cross Blue Shield Association
- Case Management Society of America
- National Alliance of Healthcare Purchaser Coalitions
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proactively manage risk. As such, we think that it is vital to continue to provide additional examples of potential parity violations and best practices on how to develop a robust compliance program.

Our ParityManager™ software was created to allow individuals across an insurer and their benefit administrators, if applicable, to upload information into a secure, web-based platform and share documents across various departments to help facilitate seamless communication. Based on our experience in talking with insurers, having a central location to maintain documentation associated with their parity analysis is a critical component for success. ParityManager™ is also structured in a manner in which insurers are prompted to identify all required information to conduct a comprehensive parity analysis as it is mapped to federal parity regulations and accompanying guidance to allow for a true apples to apples comparison. Additionally, ParityManager™ also has the capability to address unique state-based requirements that differ from the federal parity law to help regulators ensure the health plans under their oversight are meeting state specific policy goals. As such, we believe our existing Parity Program can help augment government oversight and save precious resources.

Our ParityManager™ software in particular has seen uptake in the market and less than a year after the launching, over a dozen commercial and Medicaid insurers are using the platform to organize their parity compliance. In fact, one state Department of Health is utilizing ParityManager™ to generate a report on the state's parity compliance among their Medicaid insurers which includes managed care organizations, a behavioral health administrative services organization, a dental plan delivered on a fee-for-service basis and other state funded services.

As you work to incorporate additional guidance, we encourage you to consider including URAC's Parity Program as an example of an internal MHPAEA compliance plan in Section H. Our Parity Program is aligned with the federal parity law, implementing regulations and incorporates regulatory guidance that has been issued by DOL, the U.S. Department of Treasury and the U.S. Department of Health and Human Services. We would be happy to provide a demonstration of our software tool at your convenience and look forward to working with you on this important issue.

Please do not hesitate to contact, Brittany McCullough, Manager of Health Policy and Government Programs, at bmccullough@urac.org or (202) 326 – 3965 should you have any questions or want to discuss anything in detail.

Sincerely,

Aaron Turner-Phifer

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Vice President, Government Relations and Policy

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