

CAPABILITIES

Employee Benefits & Executive
Compensation

REQUIRED COMPARATIVE ANALYSES OF NON- QUANTITATIVE TREATMENT LIMITATIONS ON MENTAL HEALTH/ SUBSTANCE USE DISORDER BENEFITS

Advisory
10.6.21

The Mental Health Parity and Addiction Act of 2008 (MHPA) has historically required that group health plans not impose non-quantitative treatment limits (NQTLs) on mental health and substance abuse disorder (MH/SUD) benefits that are more stringent than it applies to other medical and surgical benefits. Enacted in December 2020, the Consolidated Appropriations Act, 2021 (CAA) amended the Mental Health Parity and Addiction Act (MHPA) to require group health plans to perform and document comparative analyses of their design and application of NQTLs on MH/SUD benefits.

The Department of Labor, Department of Health and Human Services, and the Treasury Department (the Departments) were authorized under the CAA to request analyses documentation from group health plan sponsors beginning February 10, 2021. Therefore, group health plan sponsors should ensure that they are in a position to properly respond to such a request if made by the Departments.