

Biden administration issues rules making mental health care more accessible

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Beginning Jan. 1, Americans with private health insurance coverage should gain better access to mental health care, as well as care to help ease substance abuse, federal officials announced Monday.

"Like [medical care](#), mental health care is vital to the well-being of America's workers," U.S. Acting Secretary of Labor [Julie Su](#) said in a [statement](#) from the U.S. Department of Health and Human Services.

"The final rules issued today make it easier for people living with mental health conditions and substance use disorders to get the lifesaving care they often need," Su said.

The bottom line is that, beginning in 2025, [private insurers](#) must offer coverage for mental health issues just as they would for issues of physical health, "without imposing greater restrictions on mental health or substance use disorder benefits as compared to medical and surgical benefits," the HHS said in its statement.

The new rules are aimed at easing restrictions on care that insurers often subject policyholders to, including high out-of-pocket costs.

Other restrictions include requirements that limit the scope or duration of mental health care benefits (such as prior authorization requirements), the use of "step" therapy, as well as standards that might keep providers from being admitted to a particular network.

The changes have been a long time coming: Congress passed the Mental Health Parity and Addiction Equity Act back in 2008.

However, 16 years later, barriers still exist that keep folks covered by [private health insurance](#) from getting mental health care.

"The final rules are critical steps forward to making sure that people in need of services can get the care they need without jumping through hoops that they don't face when trying to get medical or surgical care," said Lisa Gomez, Assistant Secretary for Employee Benefits Security. "Ending the stigma around [mental health conditions](#) and [substance use](#)

[disorders](#) calls for a unified effort, and we appreciate the valuable feedback we received from stakeholders—plans, care providers and participants—in shaping these final rules."

Although most of the new rules come into effect on Jan. 1, certain requirements "may take more time to implement," the HHS said, and those would come into effect about a year later.

Importantly, the new rules do not mandate that an employer offer [mental health care](#) coverage to employees.

The health insurance industry has already balked at some of the changes.

In a [statement](#), the ERISA Industry Committee, which represents major employers, warned that some of the rules are "so burdensome that many of our members will have no other choice but to re-think the type and level of their plans' coverage."

And the AHIP, which represents insurers, said in [a statement](#) issued last year that "our members are very concerned that the proposed rules, if finalized, would move our health care system further away from affordable, equitable and accessible mental health/substance use disorder care for the millions of Americans who would benefit."

However, the Biden administration believes the new rules give employers and insurers new clarity on what is expected in 2025 and beyond.

"Mental health care is health care. But for far too many Americans, [critical care](#) and treatments are out of reach," President Joe Biden said in [a statement](#). "Today, my Administration is taking action to address our nation's mental health crisis by ensuring mental health coverage will be covered at the same level as other health care for Americans. There is no

reason that breaking your arm should be treated differently than having a mental health condition."

More information: Find out more on accessing mental health care at [Mental Health America](#).

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