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HB 361 Sponsor Statement

“An Act relating to the medical assistance program and mental health or substance use disorder benefit requirements; and providing for an effective date.”

House bill 361 seeks to change the burdensome requirements placed on behavioral health services under the State of Alaska Medicaid program. In 2000, Congress passed the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA). This law prevents group health plans and health insurers that provide mental health or substance use disorder (MH/SUD) benefits from imposing less favorable benefit limitations and requirements than on medical/surgical benefits. Today, 37 states have enacted parity laws of widely varying scope and efficacy. Since the beginning of 2018, 17 states have passed legislation requiring insurers to demonstrate compliance on an annual basis.

The State of Alaska Medicaid Program is exempt from federal MH/SUD Parity requirements because Alaska is a ‘Fee-for-Service’ State. This exemption has led to ineffective payment rates for providers AND overbearing regulatory requirements that further erode access to life-saving treatments. While commercial insurers are required to meet Federal parity requirements, House bill 361 seeks the same access to behavioral health services for Medicaid beneficiaries.

To the extent the State law mandates that an issuer provide some coverage for any mental health condition or substance use disorder, benefits for that condition or disorder must be provided in parity with medical/surgical benefits under MHPAEA.” In other words, state laws can strengthen parity protections but not weaken them.

House bill 361 requires parity to reduce the administrative burden and less favorable benefit limitations for behavioral health services Alaska.