

Events

Groom Webinar: New MHPAEA Guidance – Proposed Rule Would Require Sweeping Changes to MHPAEA’s NQTL Requirements (July 26, 2023)

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In this webinar, “New MHPAEA Guidance – Proposed Rule Would Require Sweeping Changes to MHPAEA’s NQTL Requirements,” we covered the *new* Mental Health Parity and Addiction Equity Act (“MHPAEA”) guidance, just issued on July 25, 2023. This new guidance includes:

1. **MHPAEA proposed rules.** The proposed rules include a number of changes to the 2013 MHPAEA final regulations. The proposed rules also include new provisions for the content requirements of the NQTL comparative analyses required under MHPAEA. The proposed rule also includes HHS-only amendments to implement the sunset provision for self-funded, non-Federal governmental plan elections to opt out of compliance with MHPAEA.

2. **Technical Release on NQTLs related to network composition.** In addition to the proposed rules, the Departments are also issuing a Technical Release that sets out principles and seeks public comment to inform future technical guidance on the application of the proposed data collection and evaluation requirements to NQTLs related to network composition. The Technical Release also solicits input to inform future guidance related to a potential time-limited enforcement safe harbor for group health plans and health insurance issuers that include specified data in their comparative analyses that demonstrates they meet or exceed all of the thresholds identified in future guidance with respect to NQTLs related to network composition.

3. **2023 MHPAEA Report to Congress.** The Departments also released the 2023 MHPAEA Report to Congress. This report includes information on the Departments’ enforcement efforts related to MHPAEA and details the Departments’ review of NQTL comparative analyses that plans and issuers submitted to the Departments. The report also identifies plans and issuers that received final determinations of noncompliance with MHPAEA.

The webinar covered the highlights of the new MHPAEA guidance and our initial reactions for what this means for MHPAEA compliance.

To request access to the recording and other program materials, please [click here](#) or below.

[Recording](#)