

Massachusetts Organization for Addiction Recovery



Insurance Parity Fact Sheet

**If Your Insurance Denies Addiction Treatment Coverage for You or a Loved One,
You Have a Right to Access Treatment!**

What is Parity?

Parity is Equality. Thanks to the new Federal and Massachusetts Mental Health and Addiction Parity Laws, it is now illegal for health plans to discriminate against persons with addiction and/or mental illnesses. Health plans must provide the same level of services for addiction and mental illness as they do for other “physical” illnesses like heart disease, diabetes or arthritis.

How does Parity help?

Research shows addiction and many mental health disorders are diseases of the brain. New parity laws require insurance companies and health plans to recognize these health issues as biologically-based, “physical” illnesses and to pay equally for diagnosis and treatment.

Your health plan may be required to pay for the following services to treat addiction if they pay for similar services treating other health conditions:

- **acute treatment**
- **clinically managed detoxification services**
- **partial hospitalization**
- **intensive outpatient programs**
- **day treatment**
- **crisis stabilization**
- **in-home therapy**
- **rehabilitation**

Health plans can’t have treatment limits for addiction and mental health disorders that are different than those for other health issues. Any limits on how often you can seek care, number of visits, or days of coverage must be the same as those for medical or surgical benefits.

Health plans may not require higher or additional deductibles, higher co-payments, co-insurance or higher out-of-pocket expenses for addiction and mental health treatment than what they charge for other medical conditions.

How do I ensure my rights are met?

Ask Questions:

Parity requires health plans to provide consumers with the reason for why you were denied coverage of services.

Parity requires health plans to provide the criteria they used to decide if the treatment is medically necessary (for services like detox support) or to decide whether they will continue covering services you are already receiving (for services like outpatient counseling and granting more visits to a counselor).

If you or a family member is denied coverage, ask for written documentation of both the reasons why they aren’t covering the service and the criteria they used to make a decision. The insurer must give it to you.

Keep Records—Keep a log of all phone calls and written communication (letters and email).

Appeal the Denial —More than 50% of appeals are successful.

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30 Winter Street, 3rd Floor
Boston, MA 02108

Toll Free: 877-423-6627 or 617-423-6627

Email: Maryanne@moar-recovery.org

www.moar-recovery.org

Got Denied Addiction Treatment by Your Insurance?

Recovery is about Asking for Help—Get Help Now!

Health Law Advocates — is an organization that provides free legal services to persons of low-income who are denied access to health care. Health Law Advocates works with people who have MassHealth or private insurance. No matter what your income, if you are denied access to addiction treatment by your health plan: **Call Health Law Advocates Now at: 617-338-5241.**

Visit their website at: www.healthlawadvocates.org

Office of Patient Protection (OPP), MA Dept. of Public Health — Consumers who are fully-insured by a MA-licensed insurer or HMO have the right to appeal a health plan's denial of services when the denial is based on medical necessity. If you have gone through all possible steps of a health plan's appeal process, you have a right to an independent external review through the Office of Patient Protection (OPP). Please note OPP cannot help with self-funded employer plans, MassHealth/Medicaid, Medicare, federal employee health plans or out-of-state insurance. **Call the Office of Patient Protection at: 1-800-436-7757.**

To view frequently asked questions visit their website at: www.state.ma.us/dph/opp

Parity Toolkit for Addiction & Mental Health Consumers, Providers & Advocates—a guide book.

"Simplifying the Appeals Process: Strategies for Winning Disputes with your Health Plan"

Created by the Parity Implementation Coalition—September 2010: First Edition.

Download this toolkit: http://www.facesandvoicesofrecovery.org/pdf/final_parity_toolkit.pdf

Tell MOAR How Parity is Working for You.

MOAR—Massachusetts Organization for Addiction Recovery is a statewide association for individuals in recovery, families, and friends. We are educating the public about the value to our communities of living in recovery.

MOAR helps individuals and families exercise their rights. Let us know if you have been denied coverage or required to pay additional co-pays or out-of-pocket expenses for addiction and/or mental health treatment.

Are you getting the treatment you or your family members need? Have you made an appeal? Your right to recovery is important to MOAR! Let us know!

Contact:

MOAR—Massachusetts Organization for Addiction Recovery

30 Winter Street, 3rd Floor

Boston, MA 02108

Telephone: 1-877-423-6627 (toll free) or 617-423-6627

Email: Maryanne@moar-recovery.org

Website: <http://www.moar-recovery.org/>

Sources:

Private Insurance Coverage for Mental Health and Substance Abuse Services—Mental Health Parity, Matt Selig, Esq., Health Law Advocates, January 3, 2011. (PowerPoint Presentation)

Mental Health Parity, Mental Health Legal Advisors Committee, July 7, 2009.

[\[http://www.masslegalhelp.org/mental-health/mental-health-parity\]](http://www.masslegalhelp.org/mental-health/mental-health-parity)

Parity Toolkit for Addiction & Mental Health Consumers, Providers, & Advocates—Simplifying the Appeals Process: Strategies for Winning Disputes with your Health Plan [First Edition], Parity Implementation Coalition, September 2010.

[\[http://www.facesandvoicesofrecovery.org/pdf/final_parity_toolkit.pdf\]](http://www.facesandvoicesofrecovery.org/pdf/final_parity_toolkit.pdf)

MOAR Mini Guide, Massachusetts Organization for Addiction Recovery, June 2010.

[\[http://moar-recovery.org/Moar_Mini_Guide_june_2010%5B1MH%5D6%2017%2010.pdf\]](http://moar-recovery.org/Moar_Mini_Guide_june_2010%5B1MH%5D6%2017%2010.pdf)