



## Important Notice from the CHARTER COUNTY OF WAYNE Regarding MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT

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### **Notice to Enrollees of Exemption for Self-Funded Health Plans Mental Health Parity and Addiction Equity Act For October 1, 2013 to September 30, 2014 Plan Year For the Wayne County and Wayne County Third Circuit Group Health Plans Provided Through Blue Cross Blue Shield of Michigan (BCBSM)**

Under a Federal law known as the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, as amended, group health plans must generally comply with requirements listed below. However, the law also permits State and local governmental employers that sponsor health plans to elect to exempt a plan from these requirements for any part of the plan that is “self-funded” by the employer, rather than provided through a health insurance policy. The County of Wayne has elected to exempt the Wayne County Health Care Plan offered through Blue Cross Blue Shield of Michigan (BCBSM) from the following requirements:

Parity in the application of certain limits to mental health benefits. Group health plans (of employers that employ more than 50 employees) that provide both medical and surgical benefits and mental health or substance use disorder benefits must ensure that financial requirements and treatment limitations applicable to mental health or substance use disorder benefits are no more restrictive than the predominant financial requirements and treatment limitations applicable to substantially all medical and surgical benefits covered by the plan.

The exemption from these Federal requirements will be in effect for the plan year October 1, 2013 - September 30, 2014 and may be renewed for subsequent plan years. As a result, the deductibles, coinsurance and maximum annual and lifetime dollar limits for mental health and substance use disorder benefits will not change. These benefits are outlined in the Benefits Summaries found in your annual Healthcare Options Open Enrollment Guide or BCBSM Benefits at a Glance summary.

HIPAA also requires the Plan to provide covered employees and dependents with a “certificate of creditable coverage” when they cease to be covered under the Plan. There is no exemption from this requirement. The certificate provides evidence that you were covered under this Plan, because if you can establish your prior coverage, you may be entitled to certain rights to reduce or eliminate a preexisting condition exclusion if you join another employer’s health plan, or if you wish to purchase an individual health insurance policy.

If you have any questions concerning the County of Wayne’s Health Care Plan or this notice, please call the Department of Personnel / Human Resources Benefits Administration Division at (313) 224-7721, toll-free at (877) 220-7721, via e-mail at [benefits@waynecounty.com](mailto:benefits@waynecounty.com) or by U.S. Mail to 500 Griswold Street, 9<sup>th</sup> Floor, Detroit, MI 48226.

*Updated: September 2011*

**Notice to Enrollees of Special Effective Date for  
Mental Health Parity and Addiction Equity Act  
For October 1, 2013 to September 30, 2014 Plan Year  
For the Wayne County and Wayne County Third Circuit Group Health Plans  
Provided Through Health Alliance Plan (HAP)**

The Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) is a federal law that provides participants who already have benefits under mental health and substance use disorder (MH/SUD) coverage parity with benefits limitations under their medical/surgical coverage. The MHPAEA is generally effective for plan years beginning after October 3, 2009. However, the law contains a special effective date for certain collectively-bargained plans. For a group health plan maintained pursuant to one or more collective bargaining agreements ratified before October 3, 2008, the requirements of the MHPAEA do not apply to health insurance offered in connection with the plan for plan years beginning before the date on which the last of the collective bargaining agreements relating to the plan terminates. 45 CFR Part 146.

Pursuant to the special effective date for certain collectively-bargained plans, the MHPAEA does not take effect for the Wayne County and Wayne County Third Circuit Group Health Plans provided through Health Alliance Plan (HAP) for the plan year October 1, 2013 - September 30, 2014. The delayed effective date may impact the implementation of the following key changes made by MHPAEA:

- If a group health plan includes medical/surgical benefits and mental health benefits, the financial requirements (e.g., deductibles and co-payments) and treatment limitations (e.g., number of visits or days of coverage) that apply to mental health benefits must be no more restrictive than the predominant financial requirements or treatment limitations that apply to substantially all medical/surgical benefits;
- If a group health plan includes medical/surgical benefits and substance use disorder benefits, the financial requirements and treatment limitations that apply to substance use disorder benefits must be no more restrictive than the predominant financial requirements or treatment limitations that apply to substantially all medical/surgical benefits;
- MH/SUD benefits may not be subject to any separate cost sharing requirements or treatment limitations that only apply to such benefits;
- If a group health plan includes medical/surgical benefits and mental health benefits, and the plan provides for out of network medical/surgical benefits, it must provide for out of network mental health benefits;
- If a group health plan includes medical/surgical benefits and substance use disorder benefits, and the plan provides for out of network medical/surgical benefits, it must provide for out of network substance use disorder benefits;
- Standards for medical necessity determinations and reasons for any denial of benefits relating to MH/SUD must be disclosed upon request;
- The MHPA parity requirements under existing law (regarding annual and lifetime dollar limits) continue and are extended to substance use disorder benefits.

For more information, contact the Wayne County Benefits Administration Division at (313) 224-7721, toll-free at (877) 220-7721, by e-mail at [benefits@waynecounty.com](mailto:benefits@waynecounty.com) or by U.S. Mail to Wayne County Benefits Administration Division, 500 Griswold Street, 9<sup>th</sup> Floor, Detroit, MI 48226.