State Mental Health Parity Laws

Type of Law

Comprehensive parity
Equal coverage of a broad range of mental health conditions, including substance abuse disorders. Does not exempt significant policy groups.

Broad-based parity
Equal coverage of a broad range of mental health conditions. May include some limitations or exemptions.

Limited parity
Limits equal coverage to a specific list of mental health conditions and/or
Excludes equal coverage for significant policy groups and/or
Limits equal coverage to certain durational or financial limits or cost-sharing requirements and/or
Allows plans to opt out of parity due to cost increase provisions.

Mandated if offered
Requires that mental health overage be equal to other medical conditions if the plan offers mental health coverage.

Mandated offering
Requires a plan to offer an option of mental health coverage that is equal to coverage for other medical conditions.

Minimum mandated benefit
Mandates minimum mental health coverage that is not required to be equal to other medical conditions.

Minimum benefit if offered
Requires a minimum benefit if the plan offers mental health coverage.

Minimum benefit offering
Requires a plan to offer a minimum benefit.

Covered Conditions

Serious mental illness
"Serious mental illness" is used to refer to coverage of major mental illnesses, typically defined in statute as schizophrenia, schizoaffective disorder, psychotic disorders, bipolar disorder, major depression, panic disorders, and obsessive compulsive disorder.

Broad-based mental health disorders
"Broad-based mental health disorders" is used to refer to coverage of a relatively broad range of mental disorders.

Substance abuse disorders
"Substance abuse disorders" is used to refer to coverage of alcoholism and chemical dependency.

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
AL	Mandated offering	Individual, HMO, and group, 50 employee exemption	Serious mental illness	Code of Alabama, Title 27, Chapter 54 http://www.legislature.state.al.us/CodeofAlabama/1975/coatoc.htm (2000) Act 2000-386/HB 677 http://www.legislature.state.al.us/SearchableInstruments/Enrolled%20Acts/2000%20Regular%20Session/HB677-enr.pdf (2002) SB 293 (HMOs)
AK	No parity law			
AZ	Mandated if offered	Group, 50 employee exemption	Broad-based mental health disorders	• 1% cost increase cap • Allows different co-pays and co-insurance (1997) Arizona Rev. Stat. Ann. 20-2322 http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/20/02322.htm&Title=20&DocType=ARS
AR	Limited parity	Group health benefit plans, 50 employee exemption Minimum mental health benefit provisions apply to group accident and health policies or group contracts of hospital and medical services corporations	Broad-based mental health disorders	• 1.5% cost increase cap • Certain group plans with 50 or fewer employees may impose an annual maximum benefit of $7,500 • Certain group plans with 51 or more employees may impose an annual maximum of 8 inpatient days and 40 outpatient visits • Mandated min benefit offering for substance use disorders • Mandated offering for individual plans (1997) Act 1020 http://www.arkleg.state.ar.us/ftproot/acts/1997/htm/1020.htm (2001) HB 1562 (SCHIP) http://www.arkleg.state.ar.us/ftproot/bills/2001/htm/HB1562.pdf (2001) Act 1063 (SB 716) http://www.arkleg.state.ar.us/ Ark. Code Ann. §23-79-139 (substance use disorder offering), §23-86-113 (min mental health benefits), §23-99-501 to 511 (parity benefits) http://www.arkleg.state.ar.us/NXT/gateway.dll?f=templates&fn=default.htm&vid=blr:code

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
CA	Limited parity	Individual, HMO, and group	Serious mental illness Serious emotional disturbance in children	(1999) Cal. Ins. Code §10144.5 http://www.leginfo.ca.gov/cgi-bin/displaycode?section=ins&group=10001-11000&file=10110-10127.18
CO	Limited parity	Group, 50 employee exemption	Serious mental illness (2007) Post traumatic stress disorder, dysthymia, cyclothymia, social phobia, agoraphobia with panic disorder, and general anxiety disorder. Limited coverage for anorexia and bulimia. (2007) Substance use disorders	• If offered, statute requires parity for autism • Excludes residential treatment for anorexia or bulimia • Exception for "barebones" policies (1997) HB 1192 http://www.state.co.us/gov_dir/leg_dir/hbills/HB1192.htm Colorado Code §10-16-104 http://198.187.128.12/colorado/lpext.dll?f=templates&fn=fs-main.htm&2.0 (2003) HB 1164 ("barebones" policy exception) http://www.leg.state.co.us/2002a/inetcbill.nsf/billcontainers/DA56F671CB939C3887256B17004E086F/$FILE/1164_enr.pdf (2007) SB 07-036 http://www.statebillinfo.com/sbi/..%5Ccapcon%5C/adobe/07/SB07-036.pdf
CT	Comprehensive parity	Individual and group	Broad-based mental health disorders Substance use disorders	• Excludes mental retardation, learning disorders, motor skills disorders, communication disorders, caffeine-related disorders and "V" codes (2002) Public Act 99-284 http://www.cga.ct.gov/ps99/Act/pa/1999PA-00284-R00HB-07032-PA.htm Connecticut §38a-488a; §381-514a http://www.cga.ct.gov/2007/pub/Chap700c.htm#Sec38a-514a.htm
DE	Limited parity	Individual and group	Serious mental illness, including autism and ADHD Substance use disorders	(1998) Del. Code Ann. Title 18 §3343 http://www.delcode.state.de.us/title18/c033/index.htm#P539_58621 (2001) HB 100 (additional conditions) http://www.legis.state.de.us/LIS/LIS141.NSF/vwLegislation/HB+100?Opendocument

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
DC	Minimum mandated benefit	Individual and group	Broad-based mental health disorders Substance use disorders	• 1% cost increase exemption for large group plans • Minimum 60 inpatient days • Minimum 75% coverage of first 40 outpatient visits, 60% coverage of further outpatient visits DC ST § 31-3101-3112 http://weblinks.westlaw.com/toc/default.aspx?Abbr=dc%2Dst&Action=ExpandTree&AP=DC010470688&ItemKey=DC010470688&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=WEBL7.10&VR=2.0&SPa=DCC-1000&fragment#DC010470688
FL	Minimum benefit offering	Group	Mental illness Substance use disorders	• Min offering of no less that 30 inpatient days per benefit year • Outpatient benefits may be limited to $1,000 per benefit year • Limited substance use benefit offering Florida Statute Title 37 §627.668 http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0627/SEC668.HTM&Title=-%3E2006-%3ECh0627-%3ESection%20668#0627.668
GA	Mandated offering	Individual and group	Broad-based mental health disorders Substance use disorders	• Permits 30 inpatient day limit and 48 outpatient visit limit under individual policies • Allows day and visit limits for small group (2-50) plans (1998) Ga. Code §33-24-29; §33-24-28.1 http://w3.lexis-nexis.com/hottopics/gacode/default.asp (1998) SB 620 http://www.legis.state.ga.us/legis/1997_98/fulltext/sb620.htm
HI	Limited parity	Group	Serious mental illness	(1999) Hawaii Rev. Stat. §431M1-5 http://www.capitol.hawaii.gov/hrscurrent/Vol09_Ch0431-0435E/HRS0431M/HRS_0431M-0001.HTM (1999) SB 844 http://www.capitol.hawaii.gov/session1999/acts/Act121_sb844.htm (2003) SB 1321 (removes sunset) http://www.capitol.hawaii.gov/session2003/bills/sb1321_.htm (2005) SB 761 (expands covered illnesses) http://www.capitol.hawaii.gov/session2005/bills/SB761_cd1_.htm

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STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
ID	Limited parity	State employees only	Serious mental illness Serious emotional disturbance in children	(2006) HB 615 http://www3.state.id.us/oasis/2006/H0615.html#billtext
IL	Minimum mandated benefit	Group, 50 employee exemption	Serious mental illness, including pervasive developmental disorders and PTSD More limited coverage of other mental health conditions	• Minimum 45 inpatient day and 35 outpatient visit benefit for serious mental illness • Other mental health conditions may be subject to 50% co-pay and lesser of annual limit of $10,000 or 25% of lifetime policy limit • Mental illness resulting from use of a controlled substance or cannabis and addictions to controlled substances and cannabis are not required to be covered by a plan (2001) SB 1341 http://www.idfpr.com/DOI/Legislative/Leg2001/LEG_PA92-0185.pdf (2005) HB 2190 (PTSD) http://www.ilga.gov/legislation/publicacts/94/094-0584.htm 215 Ill. Comp. Stat. Ann. 5/370c http://www.ilga.gov/legislation/ilcs/ilcs2.asp?ChapterID=22
IN	Mandated if offered	Individual, state employees, and group, 50 employee exemption	Broad-based mental health disorders Substance use treatment for those with mental illness	• Cost increase cap of 4% (1999) (Enter Indiana Code §27-13-7-14.8; §5-10-8-9; §27-8-5-15.6) http://www.in.gov/legislative/ (2003) HB 1135 (Co-occurring disorders treatment) http://www.in.gov/legislative/bills/2003/EH/EH1135.1.html
IA	Minimum mandated benefit	Group, 50 employee exemption if no coverage of mental illness is provided	Serious mental illness, including pervasive developmental disorders and autistic disorders	• Minimum benefit of 30 inpatient days and 52 outpatient visits Iowa code 514c.22 http://nxtsearch.legis.state.ia.us/NXT/gateway.dll/current/2007codesupp/1/19310/19311/19909/19932?f=templates$fn=document-frameset.htm$3.0&cp=/current/2007codesupp/1/19310/19311/19909/19932 (2005) HF 420 http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&frame=1&GA=81&hbill=HF420%20&menu=false&version=Enrol

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
KS	Minimum mandated benefit	Individual, HMO, state employees, and group, 25 employee exemption	Serious mental illness, including pervasive developmental disorder, autism, and ADHD More limited coverage for other mental health and substance use disorders	• 1% cost increase cap (2003) • 45 inpatient days and 45 outpatient visits annually • Minimum 30 inpatient days for other mental health and substance use disorders; not less than $7,500 lifetime benefit for outpatient care (Search for §40-2,105 and 2,105a) http://www.kslegislature.org/legsrv-statutes/getStatute.do (2001) HB 2033 http://www.kslegislature.org/bills/2002/SSUB2033.pdf (2003) HB 2071 http://www.kslegislature.org/bills/2004/2071.pdf
KY	Mandated if offered	Group, 50 employee exemption	Broad-based mental health disorders Substance use disorders	KRS Chapter 304.17A-660, -661, -669 http://www.lrc.state.ky.us/KRS/304-17A/CHAPTER.HTM (2000) (Search for HB 268) http://www.lrc.ky.gov/legresou/legres.htm
LA	Minimum mandated benefit	HMO, state employee, and group	Serious mental illness, including Asperger's Disorder, Intermittent explosive disorder, PTSD, Rett's Disorder, Tourette's Disorder	• Mandated offering for other mental health disorders • Requirements of statute met if plan provides 45 inpatient days and 52 outpatient visits annually La. Rev. Stat. Ann. §22:215 http://www.legis.state.la.us/lss/lss.asp?doc=82747 La. Rev. Stat. Ann. §22:669 http://www.legis.state.la.us/lss/lss.asp?doc=83146 (1999) Act 1285/HB 1300 http://www.legis.state.la.us/leg_docs/99RS/CVT2/OUT/0000FRSM.PDF
ME	Broad-based parity Mandated offering for individual and groups	HMO and group, 20 employee exemption Individual and group, 20 employee exemption	Broad-based mental health disorders Substance use disorders Serious mental illness in individual and certain group plans	• Excludes "V" codes • Mandated offering for individual and certain group plans for serious mental illness (1995) Maine Rev. Stat. Title 24 §2325 http://janus.state.me.us/legis/statutes/24/title24sec2325-A.pdf (2003) HB 973/LD 566 http://www.mainelegislature.org/legis/bills_121st/billtexts/LD056601-1.asp

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STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
MD	Broad-based parity	Individual, HMO, and group	Broad-based mental health disorders Substance use disorders	• Graduated outpatient co-pays based on number of visits • Minimum of 60 days partial hospitalization Md. Insurance Code ann. §15-802 http://michie.lexisnexis.com/maryland/lpext.dll?f=templates&fn=main-h.htm&cp= (click code folder, then insurance, title 15, section 802)
MA	Limited parity	Individual, HMO, or group	Serious mental illness (2008) Eating disorders, PTSD, and autism Serious emotional disturbance in children (2008) Substance use disorders More limited coverage for other mental health disorders	• Allows different co-pays, co-insurance, deductibles • Min 60 day inpatient days and 24 outpatient visits for other mental health disorders • Minimum alcoholism benefit Mass. Gen. Laws Ch. 175:47B http://www.mass.gov/legis/laws/mgl/175-47b.htm Mass. Gen. Laws Ch. 175:110 (alcoholism) http://www.mass.gov/legis/laws/mgl/175-110.htm (2000) Chapter 80 http://www.mass.gov/legis/laws/seslaw00/sl000080.htm Ch 80 (2000) http://www.mass.gov/legis/bills/senate/185/st02pdf/st02840.pdf (2008)
MI	Minimum mandated benefit	HMOs	Broad-based mental health disorders Substance use disorders	• 3% cost exemption • No fewer than 20 outpatient mental health visits (2000) SB 1209/Act 252 http://archive.legislature.mi.gov/documents/1999-2000/publicact/pdf/2000-PA-0252.pdf
MN	Comprehensive parity for HMOs Mandated if offered for individual and groups	HMOs and Community Integrated Service Networks Individual and group	Broad-based mental health disorders Substance use disorders	• Includes minimum coverage levels Minn. Stat. §62A.152 http://ros.leg.mn/bin/getpub.php?pubtype=STAT_CHAP_SEC&year=current&section=62A.152&image.x=26&image.y=9&image=Get+Section Minn. Stat. §62Q.47 https://www.revisor.leg.state.mn.us/bin/getpub.php?pubtype=STAT_CHAP_SEC&year=2007&section=62Q.47 (1995) SB 845 http://ros.leg.mn/bin/bldbill.php?bill=S0845.8&session=ls79

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
MS	Minimum mandated benefit	Large groups (over 100)	Serious mental illness	• Cost increase cap of 1% • Minimum of 30 inpatient days and 52 outpatient visits per year; outpatient benefit may be limited to a maximum of $50.00 per visit or 50% of expense • Mandated offering for groups of 100 or fewer (2001) HB 667 http://billstatus.ls.state.ms.us/documents/2001/html/HB/0600-0699/HB0667SG.htm
MO	Limited parity	State employees, group	Broad-based mental health disorders More limited coverage for substance use disorders	• 2% cost exemption §376.779 http://law.justia.com/missouri/codes/t24/3760000779.html § 376.811 http://law.justia.com/missouri/codes/t24/3760000811.html § 376.827 http://law.justia.com/missouri/codes/t24/3760000827.html (2004) HB 855 http://www.house.mo.gov/bills041/biltxt/truly/HB0855T.HTM
MT	Limited parity	Individual and group	Serious mental illness, including autism More limited group coverage for other mental health and substance use disorders	• Serious mental illness benefit includes rehabilitative services • Maximum 21 inpatient days for other mental health disorders • Outpatient treatment for other mental health disorders may be limited to $2,000 per year • Inpatient and outpatient substance use treatment is subject to $6,000 maximum in 12-months and lifetime maximum inpatient of $12,000 • (2003) Allows exclusion of mental health for “barebones” policies (12 mo pilot) Montana Code Ann. §33-22-701-706 http://data.opi.state.mt.us/bills/mca_toc/33_22_7.htm http://data.opi.state.mt.us/bills/mca/33/22/33-22-703.htm (2003) HB 384 http://data.opi.state.mt.us/bills/2003/BillPdf/HB0384.pdf

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STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
NE	Mandated if offered	HMO and group, 15 employee exemption	Serious mental illness More limited coverage for alcoholism	• Alcoholism coverage minimum of 30 inpatient days annually, with minimum of 60 days per lifetime and 60 outpatient visits per lifetime (2000) (Select §44-791 to 44-794 and §44-778-779) http://uniweb.legislature.ne.gov/LegalDocs/view.php?page=s44index
NV	Minimum mandated benefit	Individual, HMO, and group, 25 employee exemption	Serious mental illness More limited coverage for substance use disorders	• 2% premium increase cap • Minimum 40 inpatient days and 40 outpatient visits per year • Allows higher deductibles and co-pays • $9,000 inpatient and $2,500 outpatient benefit annually for substance use disorders (2000) Nev. Rev. Stat. §§689A.0455; 689B.0359; 695B.1938; 695C.1738, 689A.046 http://www.leg.state.nv.us/NRS/NRS-689A.html (1999) SB 557 http://www.leg.state.nv.us/70th/bills/SB/SB557_EN.pdf)
NH	Limited parity	HMO and group	Serious mental illness, including pervasive developmental disorders, autism, anorexia, bulimia, chronic PTSD More limited coverage for other mental health and substance use disorders	• Outpatient visits may not be less than 15 full hours per 12-month period for group plans; HMOs must provide 2 diagnostic and 3 treatment visits and may impose copays of 20 percent • Plans may impose limits for inpatient and outpatient substance use disorders • Yearly benefit may be limited to $3,000 and lifetime maximum of $10,00 per covered individual for major medical plans (1993) §415:18-1 http://www.gencourt.state.nh.us/rsa/html/XXXVII/415/415-18-a.htm (1995) §417:E-1 http://www.gencourt.state.nh.us/rsa/html/XXXVII/417-E/417-E-1.htm (2002) HB 672 (additional conditions) http://www.gencourt.state.nh.us/legislation/2002/HB0672.html
NJ	Limited parity	Individual and group	Serious mental illness, including pervasive developmental disorder and autism	(1999) SB 86 http://www.njleg.state.nj.us/9899/Bills/PL99/106_.PDF

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
NM	Broad-based parity	Group	Broad-based mental health disorders	• 2% cost increase cap for less than 50 employees • 2.5% cost increase cap for 50 or more employees • Offering of 30 days inpatient and outpatient alcoholism treatment annually; may impose lifetime limit of two episodes NM Stat. Ann. §§59A-23E-18 http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&fn=main-h.htm&2.0 (2000) HB 452 http://legis.state.nm.us/Sessions/00%20Regular/bills/house/HB0452.pdf
NY	Limited parity	HMO and group, 50 employee exemption Individual and small group subject to minimum mandated benefit	Serious mental illness, including anorexia and bulimia Serious emotional disturbance in children More limited coverage for other mental health disorders	• Mandated offering for all plans • Minimum mandated benefit of 20 outpatient and 30 inpatient days for all mental illnesses (20/30 benefit) in all plans • State subsidy for mandated 20/30 benefit in small group plans Ins. Law § 3221 (1)(5)(A) http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS Copy of SB 8482 on New York State Psychiatric Association website http://www.nyspsych.org/public/components/societytools/admin/viewNewnews.asp?newsjob=ArticleID&ArticleID=7157&ArticleName=Mental+Health+Parity+%2D+Timothy%27s+Law Insurance Dept. Circular Letter No. 3 http://www.ins.state.ny.us/circltr/2007/cl07_03.htm
NC	Limited parity	Group	Serious mental illness, including post-traumatic stress disorder, obsessive compulsive disorder, anorexia nervosa and bulimia More limited coverage for other mental health disorders	• Mandated minimum benefit of 30 combined inpatient and outpatient days and 30 office visits per year for other mental health disorders • Minimum benefits exclude substance-related disorders, sexual dysfunctions not due to organic disease, and “V” codes (1997) HB 435 http://www.ncga.state.nc.us/Sessions/1997/Bills/House/PDF/H435v4.pdf (2007) HB 973 http://www.ncga.state.nc.us/Sessions/2007/Bills/House/HTML/H973v7.html

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
ND	Minimum mandated benefit	Group and HMO	Broad-based mental health disorders Substance use disorders	• Minimum 45 inpatient days and 30 hours outpatient services for mental health disorders • Minimum 45 inpatient days and 20 outpatient visits for substance use disorders; 60 days residential (1995) ND Cent Code §26.1-36-09 http://www.legis.nd.gov/cencode/t261c36.pdf
OH	Limited parity	Self-insured and group	Serious mental illness More limited coverage for other mental health disorders	• 1% cost increase cap • Minimum $550 annual benefit for outpatient services for other mental health disorders (1985) OH Rev. Code Ann. §3923.30 http://onlinedocs.andersonpublishing.com/oh/lpExt.dll?f=templates&fn=main-h.htm&cp=PORC (2006) SB 116 http://www.legislature.state.oh.us/bills.cfm?ID=126_SB_116
OK	Limited parity	HMO, self-insured, state employees, and group, 50 employee exemption	Serious mental illness	• 2% premium cost increase cap • Minimum of 26 inpatient days (2000) Okla. Stat. Title 36§6060.10-.13 http://www.lsb.state.ok.us/ (1999) SB 2 http://wyomcases.courts.state.wy.us/applications/oscn/DeliverDocument.asp?CiteID=368860
OR	Comprehensive parity	HMO and group	Broad-based mental health disorders Substance use disorders	• Excludes mental retardation, learning disorders, paraphilias, gender identity disorders in adults and “V” codes, except V61.20, V61.21, and V62.82 • Excludes tobacco or food dependencies • No requirement for over 45 days of residential mental health care ORS 743.556 http://www.leg.state.or.us/ors/743.html (2006) OAR 830-053-1404, 1405, 1325, 1330 http://insurance.oregon.gov/rules/attachments/recently%20proposed/id13-2006_rule.pdf (2005) SB 1 http://www.leg.state.or.us/05reg/measpdf/sb0001.dir/sb0001.en.pdf

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STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
PA	Minimum mandated benefit	HMO and group, 50 employee exemption	Serious mental illness Serious emotional disturbance in children	• Minimum 30 inpatient and 60 outpatient days annually • Minimum alcoholism benefit (1998) HB 366 http://www.mass.gov/legis/laws/mgl/176b-4a.htm http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=1997&sessInd=0&billBody=H&billTyp=B&billNbr=0366&pn=4192
RI	Minimum mandated benefit	Individual, HMO, self-insured, and group	Broad-based mental health disorders Substance use disorders	• Excludes mental retardation, learning disorders, motor skills disorders, communication disorders, and "V" codes • Minimum 30 outpatient visits per year for mental health disorders • Minimum 30 hours outpatient and 30 days residential for substance use disorders § 27-38-2 http://www.rilin.state.ri.us/Statutes/TITLE27/27-38.2/INDEX.HTM (2001) SB 832A/HB 5478 http://www.rilin.state.ri.us/PublicLaws/law01/law01174.htm (2001) S 832A Chapter 27-38.2 http://www.rilin.state.ri.us/PublicLaws/law01/law01174.htm
SC	Limited parity	State employee plans and group, 50 employee exemption	Serious mental illness, including PTSD State employee plans have parity for broader set of conditions, including substance use	• Mandated offering of minimum benefit for all group plans SC Code Ann. §38-71-290, 737, 840, 880, 920 http://www.scstatehouse.net/code/titl38.htm (2000) SB 1041 http://www.scstatehouse.net/sess113_1999-2000/bills/1041.htm (2005) SB 49 http://www.scstatehouse.net/sess116_2005-2006/bills/49.htm

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STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
SD	Limited parity	Individual, HMO, and group	Serious mental illness	• Mandated offering of alcoholism treatment coverage; maximum of 30 days total inpatient or outpatient in 6 months, 90 days lifetime (1998) §58-17-98 http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=58-17-98 (1998) HB 1262 http://legis.state.sd.us/sessions/1998/bills/HB1262ENR.pdf §58-17-30.5-30.6 http://legis.state.sd.us/statutes/DisplayStatute.aspx?Statute=58-17&Type=Statute
TN	Minimum mandated benefit	Group, 25 employee exemption	Broad-based mental health disorders	• 1% cost increase cap • Allows different co-pays, co-insurance, and deductibles • Minimum of 20 inpatient and 25 outpatient visits annually for groups larger than 25 employees; min of 30 outpatient visits for groups larger than 50 • Mandated offering of parity benefits for substance use disorders (2000) §56-7-2360, 2601 http://michie.lexisnexis.com/tennessee/lpext.dll?f=templates&fn=main-h.htm&cp= (1998) HB 3177 http://www.legislature.state.tn.us/Info/Leg_Archives/100GA/Bills/BillText/HB3177.pdf (1998) SB 2798 http://www.legislature.state.tn.us/info/Leg_Archives/100GA/bills/BillStatus/SB2798.htm
TX	Minimum mandated benefit	HMO, state employees, and group, 50 employee exemption	Serious mental illness	• Must provide 45 inpatient days and 60 outpatient visits • Mandated offering for small groups • (2003) Allows exemptions to mandate for “barebones” policies (1997) HB 1173 http://www.capitol.state.tx.us/tlodocs/75R/billtext/html/HB01173F.htm (2003) SB 541 http://www.capitol.state.tx.us/tlodocs/78R/billtext/html/SB00541F.htm

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
UT	Mandated offering	HMO and group, 50 employee exemption and hardship clause	Serious mental illness Substance use disorders	• Allows different deductibles, copays, or coinsurance • Mandated offering of minimum benefit of 50% coverage or catastrophic coverage for small group plans (2001) Utah Code Ann. 31A-22-625 http://le.utah.gov/~code/TITLE31A/htm/31A17115.htm 31A-22-625 (2000) HB 35 http://www.le.state.ut.us/~2000/bills/hbillint/HB0035.htm
VT	Comprehensive parity	Individual, HMO, and group	Broad-based mental health disorders Substance use disorders	(1998) Vt, Stat. Ann. Title 8, Ch 107, §4089 http://www.leg.state.vt.us/statutes/sections.cfm?Title=08&Chapter=107 (1997) HB 57 http://www.leg.state.vt.us/DOCS/1998/ACTS/ACT025.HTM
VA	Limited parity	HMO and group, 25 employee exclusion	Serious mental illness, includes autism and ADHD Substance use disorders	• Mandated minimum benefit for all plans of 20 inpatient days and 20 outpatient visits; min 50% coinsurance required after first five outpatient visits, except for serious mental illness and substance abuse disorders (2004) §38.2-3412.1 and 3412.1:01 http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+TOC38020000034000000000000
WA	Broad-based parity	Individual, HMO, and group	Broad-based mental health disorders	• Excludes "V" codes • Exempts residential treatment • Parity of copays and coinsurance in 2006; parity of out-of-pocket limits in 2008; parity of deductibles and treatment limitations in 2010 • Mandated minimum substance use disorder benefit (No less than $4,000 in 2008) Wash. Rev. Code §48.21.240-241 http://apps.leg.wa.gov/RCW/default.aspx?cite=48.21 Wash. Rev. Code §48.21.180, 48.44.240, 48.46.350 http://apps.leg.wa.gov/rcw/default.aspx?Cite=48 (2005) HB 1154 http://www.leg.wa.gov/pub/billinfo/2005-06/Pdf/Bills/House%20Passed%20Legislature/1154-S.PL.pdf (2007) HB 1460 (small groups) http://www.leg.wa.gov/pub/billinfo/2007-08/Pdf/Bills/House%20Passed%20Legislature/1460.PL.pdf

State Mental Health Parity Laws

STATE	TYPE OF LAW	AFFECTED POLICIES	COVERED CONDITIONS	ADDITIONAL INFORMATION
WV	Limited parity	Individual and group	Serious mental illness, including anorexia and bulimia, ADHD, separation anxiety disorder and conduct disorder for 18 and under Substance use disorders	• Excludes caffeine and nicotine-related disorders • (2004) Alcoholism coverage repealed • Excludes residential care • 2% total cost cap for large groups • 1% cost cap for groups of 25 or fewer §33-16-3a http://www.legis.state.wv.us/WVCODE/33/masterfrmFrm.htm (2002) HB 4039 http://www.legis.state.wv.us/Bill_Text_HTML/2002_SESSIONS/RS/BILLS/hb4039%20enr.htm (2004) HB 4286 (repeals alcoholism coverage) http://www.legis.state.wv.us/Bill_Text_HTML/2004_SESSIONS/RS/Bills/hb4286%20enr.htm (2007) HB 2578 (repeals sunset) http://www.legis.state.wv.us/Bill_Text_HTML/2007_SESSIONS/RS/BILLS/hb2578%20enr.htm
WI	Minimum mandated benefit	Group, not HMOs or self-insured	Broad-based mental health disorders Substance use disorders	• 30 days inpatient or at least $7,000, minus cost-sharing • $2,000 outpatient, minus cost-sharing Wis. Stat. § 632.89 http://nxt.legis.state.wi.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=WI:Default&d=stats&jd=632.89 (1987) Wisconsin Act 195/SB 337 http://www.legis.state.wi.us/acts89-93/87Act195.pdf
WY	No parity law			