

United States Senate

WASHINGTON, DC 20510

December 21, 2012

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

The passage of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 was an historic step towards comprehensive access to mental health and substance use disorder services for insured Americans. In the four years since the passage of the law, many of us have signed onto letters to your administration or called members of your cabinet requesting timely and comprehensive implementation of the law. We think you agree that there has never been a more important time for all Americans to have access to the mental health and substance use disorder services that they need. Under the 2008 law, millions of Americans are entitled to access to a full range of mental health and substance use disorder services, but in the absence of a final rule, many people who need and have a right to these services may not have access to them. We urge you to act now to implement the law that will secure Americans' right to access the services they need.

We are enclosing three previous letters that we have sent to your administration regarding the implementation of the law. These letters detail the specific concerns that we have with the interim final rule released in 2010. Specifically, there are four issues that must be clarified in a final rule. First, the final rule must provide guidance as to whether plans must offer a comparable scope and range of medical and behavioral health services. Second, we believe plans must be required to disclose the criteria and policies they use to make benefit determinations on both medical and surgical conditions and behavioral health conditions. Third, the rule must provide greater clarity regarding quantitative and non-quantitative treatment limitations in order to allow for enforcement actions against inequitable treatment limitations, such as discriminatory prior authorization requirements. Finally, please provide guidance on the implementation of the law for Medicaid managed care plans.

Our prior letters clarify congressional intent on these critical issues. Please act now to enforce this statute that was signed into law four years ago and ensure that Americans have access to the mental health and substance use disorder services that they need.

Sincerely,



Al Franken
United States Senator



Tom Harkin
United States Senator

Barbara Mikulski

Barbara Mikulski
United States Senator

Jack Reed

Jack Reed
United States Senator

John F. Kerry

John Kerry
United States Senator

Ron Wyden

Ron Wyden
United States Senator

Robert Menendez

Robert Menendez
United States Senator

Sherrod Brown

Sherrod Brown
United States Senator

Mark Begich

Mark Begich
United States Senator

Daniel K. Akaka

Daniel Akaka
United States Senator

Barbara Boxer

Barbara Boxer
United States Senator

Jon Tester

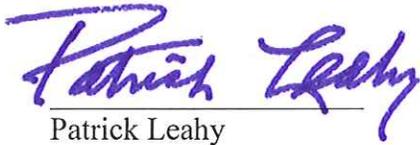
Jon Tester
United States Senator

Debbie Stabenow

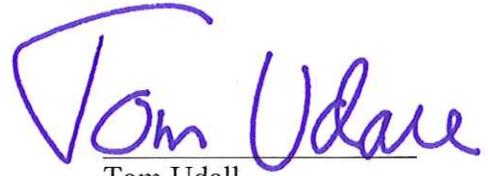
Debbie Stabenow
United States Senator

Richard Durbin

Richard Durbin
United States Senator



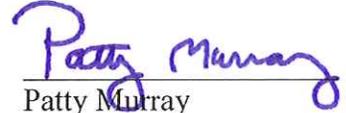
Patrick Leahy
United States Senator



Tom Udall
United States Senator



Sheldon Whitehouse
United States Senator



Patty Murray
United States Senator



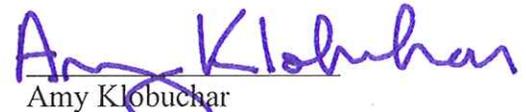
Frank R. Lautenberg
United States Senator



Jeanne Shaheen
United States Senator



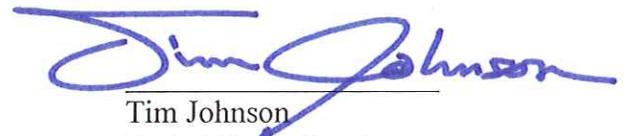
Bernie Sanders
United States Senator



Amy Klobuchar
United States Senator



Richard Blumenthal
United States Senator



Tim Johnson
United States Senator



Joseph I. Lieberman
United States Senator



Carl Levin
United States Senator

cc: Secretary Sebelius, Secretary Solis, and Secretary Geithner