

United States Senate

WASHINGTON, DC 20510-2309

October 28, 2013

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

Dear Mr. President:

I hold the seat that Paul Wellstone held in the U.S. Senate. The 2008 law that bears Paul's name and is a significant part of his legacy, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act, promised millions of Americans equitable coverage of mental health and substance use disorder services for the first time. While I appreciate the work that you and your administration have done to work towards this goal, five years have passed since the law was enacted, and this promise has not yet been fully realized.

Under the 2008 law, millions of insured Americans were guaranteed access to a full range of behavioral health services. But in the absence of an enforceable final rule, coverage of these services has not always been available. As I have detailed in previous letters to you and to members of your cabinet, I am concerned that the interim final rule has significant weaknesses that have prevented Americans from receiving the coverage they need.

Specifically, I hope that you will release a final rule that addresses three key issues. First, the rule must provide guidance as to whether insurers must cover a comparable scope of medical and behavioral health services, and how the scope of those services is to be measured. Second, insurance plans must be required to be transparent about the criteria they use to make benefit determinations on both medical and behavioral health conditions. Such transparency will allow for an assessment of whether cost containment techniques are applied in an equitable manner. Finally, the rule must provide greater clarity regarding quantitative and non-quantitative treatment limitations so as to allow for enforcement against the use of inappropriate limitations.

We know that early access to treatment can be the key to living a healthy life for many people with behavioral health conditions. I respectfully request that you act now to bring equitable access to mental health and substance use disorder services to all Americans who need them. Thank you for your swift attention to this critical issue.



Al Franken
U.S. Senator