

2022 GEORGIA LEGISLATIVE SESSION

# Highlights of the Mental Health Parity Act

**Parity** means that mental health (MH) conditions and substance use disorder (SUD) should be treated the same as physical health conditions. "Mental health" refers to both MH/SUD.

## Part 1: Access

- Requires **private and public health insurers** to provide coverage for MH/SUD in accordance with existing federal law.
- **Private insurers**<sup>1</sup> must provide data to the Insurance Commissioner to prove that equal standards are being used for mental and physical health when insurers deny or approve claims.
  - must make it easy to report unfair MH coverage.
- Creates a full-time position to **make sure insurers are actually following parity rules**.
- Requires **public health insurers** (i.e., Medicaid, PeachCare, and State Health Benefit Plan (SHBP)) to prove that equal standards are being used for mental and physical health when insurers deny or approve claims.
- **Department of Insurance** and **Department of Community Health** must make it easy to report unfair MH coverage, including efforts to include culturally and linguistically appropriate materials for consumers to file parity complaints.



## Part 2: Workforce Development

- Permits the **cancellation of loans for students** enrolled in programs to become MH/SUD care professionals.
  - This encourages people to work in MH fields to get their loans paid off.
- Allows **professional licensing boards to collect data** from behavioral health providers to help state leaders understand the workforce shortage.



## Part 3: Involuntary Commitment

- Removes the requirement that a person who is mentally ill be in the process of **committing a crime** for law enforcement to transport that person to a physician or emergency room for a MH evaluation.



## Part 4: MH Courts & Corrections

- Provides **grants to accountability courts** for MH services (subject to available funding).
  - **Accountability courts** are for people who have been charged with a crime related to their mental illness. These courts ensure that people with serious mental illness are not sent to jail without getting necessary MH support.
- Directs the state to do two things: 1) **increase access to certified peer specialists** (i.e., trained professionals who have undergone MH treatment and recovered) in rural and medically underserved communities; and 2) **improve care coordination** between a student's MH provider(s) in school settings and primary care provider(s).
- Creates a task force to connect people with serious mental illness to appropriate **community-based services** to prevent them from unnecessarily being sent to jails and juvenile detention facilities.



Learn more about the  
**Mental Health Parity Act**,  
bill sponsors, and status:

<https://www.legis.ga.gov/legislation/61365>



## Part 5: Child & Adolescent Behavioral Health

- Directs the Governor's Office to develop and implement a solution for **better care coordination for children with MH/SUD** that frequently use the emergency department or other crisis services.
- Clarifies that **community service boards** provide MH, developmental disabilities, and SUD services to children as well as adults.
  - CSBs are state-funded agencies that provide MH services to uninsured & low-income Georgians.



## Part 6: Medicaid Spending

- Requires Medicaid Managed Care plans to spend **at least 85% of profits on services for members** (i.e., only 15% can be spent on things like marketing or administration).
  - If the provision is not met, the CMO must pay money back to the state.



## Part 7: Additional Details

- Requires the state's Department of Community Health to compare Medicaid, PeachCare, and SHBP **reimbursement rates for MH services** to other states.
- Requires a single **report with all complaints** against public and private insurers for violating parity requirements.

