



The Parity Enforcement Act of 2021

*Sponsored by Congressman Donald Norcross (D-NJ-01),
Vice-Chair, Bipartisan Addiction Task Force*

BACKGROUND

In 2008, Congress began requiring mental health parity – which means, under law, insurance plans must provide the same level of coverage for mental health and substance-use disorders that they provide for physical health conditions. The problem is – the law cannot be adequately enforced for the millions of employees that receive health insurance through their employer.

Currently, Department of Labor (DOL) is only able to require employers to reimburse their workers after there are parity violations in their self-funded insurance plans. However, DOL cannot take action against the insurance company that is offering the insurance plan. That leaves DOL with no front-end enforcement mechanism to ensure there’s compliance with existing mental health and substance-use parity requirements.

BILL DETAILS

To amend the Employee Retirement Income Security Act (ERISA) to provide the Department of Labor the authority to investigate and levy monetary penalties against health insurers and plan sponsors that offer health plans to employers that violate the Mental Health Parity and Addiction Equity Act of 2008.

WHY IT MATTERS

“Every single year we’re losing more Americans to the opioid epidemic than we did in all of the Vietnam War and, unfortunately, suicide is also on the rise in nearly every state in our nation,” **said Congressman Norcross.** “While mental health parity is rightfully the law of the land, our enforcement mechanism is severely lacking. Insurance companies can get away with not following parity laws, even though lives are on the line. We can and must do more.”

BROAD SUPPORT

This legislative change has a broad range of bipartisan and nonpartisan support. It was included as a recommendation by President Donald Trump’s Commission on Combatting Drug Addiction and the Opioid Crisis, and the report from President Barack Obama’s Mental Health and Substance Use Disorder Parity Task Force. In 2019, then DOL Secretary Alexander Acosta testified before Congress expressing his support for this authority. The bill also has cosponsors from both parties.

The enforcement correction is also supported by over fifty advocacy leaders, including:



CO-SPONSOR

Please contact Alexander.Krupnick@mail.house.gov if your boss is interested in signing on.