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# NEWS

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## **Statement from Illinois Department of Insurance on Interpretation of Federal Mental Health Parity Law**

***Department committed to implementation of law in manner most favorable to patients and families***

**CHICAGO**—January 5, 2011. In 2008, Congress passed and then-President George W. Bush signed into law the Wellstone-Domenici Mental Health Parity and Addiction Equity Act (“MHPAEA” or “Wellstone-Domenici”), which provides “parity,” or equivalence, of coverage for mental health or substance use disorder benefits and coverage for medical or surgical benefits. Group health plans subject to the MHPAEA that cover mental health and substance use disorder benefits along with standard medical and surgical coverage must treat equally out-of-pocket costs, benefit limits, and practices such as prior authorization and utilization review. The MHPAEA became effective for health plan years beginning on or after October 3, 2009.

Over the last several months, the Department of Insurance has received inquiries and learned of concerns regarding implementation of the MHPAEA in Illinois. The Department recognizes some areas of ambiguity in the interpretation of the MHPAEA and its regulations.

“The Department of Insurance is committed to the principle set forth in Wellstone-Domenici that coverage for mental health or substance use disorder benefits must be equivalent to coverage for other benefits,” said Michael T. McRaith, Director of the Illinois Department of Insurance. “In the event that ambiguity is argued to exist in the implementation of Wellstone-Domenici or its regulations, the Department will resolve such ambiguity in favor of the patients and families for whom the law is meant to protect.”

“The Department recognizes and appreciates those interested parties that have offered views on these topics and welcomes expressions of concern on any insurance issue at any time,” said Director McRaith. “The Department also recognizes and appreciates the professional and respectful engagement of regulated entities in the resolution of these issues.”

Insurance questions or concerns can be sent to [DOI.Director@illinois.gov](mailto:DOI.Director@illinois.gov) at any time.

**More Information**

The Department's mission is to protect consumers by providing assistance and information, by efficiently regulating the insurance industry's market behavior and financial solvency, and by fostering a competitive insurance marketplace. The Department assists consumers with all insurance complaints, including health, auto, life, and homeowner. Consumers in need of information or assistance should visit the Department's Web site at [www.illinois.insurance.gov](http://www.illinois.insurance.gov) or call our toll-free hotline at (866) 445-5364.

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