



To: House Health & Human Services Committee
From: Karen Malcolm, Protect Our Healthcare Coalition, ProtectRIHealth@gmail.com
Date: March 19, 2024
Re: **SUPPORT H7876** – Improve patient access to behavioral health services by strengthening Rhode Island’s Mental Health Parity Act

The Protect Our Healthcare Coalition is a group of leading Rhode Island non-profits and consumer groups with a shared mission to protect, improve, and expand equitable access to quality, person-centered, affordable health care for all. The Coalition **supports House Bill 7876** and thanks Representative Tanzi for her work on this important legislation.

When Rhode Island’s (and the Federal) Mental Health Parity Act was passed, the intent was to prohibit discriminatory treatment limitations in coverage for mental health and substance use disorder services. However, our experience here in Rhode Island, despite improvements and a strong and supportive Office of Health Insurance Commissioner, has demonstrated that the current regulations are still insufficient to consistently hold insurers accountable for discriminatory treatment limitations, especially hard-to-regulate non-quantitative treatment limitations (NQTLs).

Bill 7876 would strengthen the state’s existing mental health parity statute by establishing a more clearly enforceable definition of medical necessity based on generally accepted standards of mental health and substance use disorder care. This is important because the use of flawed medical necessity criteria has allowed insurers to wrongly deny mental health and addiction coverage. These denials have, unfortunately, been found to be commonplace and are reflected in the findings of [market conduct exams completed here in Rhode Island by OHIC in 2020](#). According to the Kennedy Forum, “By using flawed criteria, insurers often inappropriately limit mental health and addiction coverage to treating short-term symptom reduction while refusing to cover ongoing treatment for chronic mental health and addiction conditions.”

Bill 7876 is also a crucial step towards addressing the consistent problem that providers and patients face when insurers ‘claw back’ previously approved coverage for services provided in good faith by practitioners. These clawbacks not only undermine the financial stability of our mental health and substance use treatment providers but also jeopardize the well-being of our patients.

We strongly urge the Committee to support this vital bill, which is a significant step towards improving patient access to behavioral health services and strengthening Rhode Island’s Mental Health Parity Act.

Thank you.

Protect Our Healthcare Coalition allies & partners: Economic Progress Institute, Mental Health Association RI, RIPIN, The Womxn Project, RI Health Center Association, United Way of Rhode Island, Planned Parenthood of Southern New England, SEIU Rhode Island Council, RI Medical Society, American Cancer Society Cancer Action Network, Leukemia/Lymphoma Society, Foster Forward, RI Coalition for the Homeless, Mental Health Recovery Coalition, Oasis Wellness & Recovery Center, RI Community Food Bank, Substance Use & Mental Health Leadership Council, Rhode Island Coalition for Children and Families, HousingWorksRI, Rhode Island Organizing Project (RIOP), RI NOW, RI Psychological Association, Thundermist Health Center, National Association of Social Workers RI Chapter, Advocates for Better Care
