

STATE OF MICHIGAN  
DEPARTMENT OF ATTORNEY GENERAL



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DANA NESSEL  
ATTORNEY GENERAL

April 18, 2024

Dear Chairwoman Carter and members of the House Committee on Insurance and Financial Services:

Mental health is an essential component of any individual's well-being. And with the colossal cost of health insurance, no Michigander should worry about their health insurer refusing to cover necessary mental health services. That is why I strongly support SB 27.

At the federal level, the Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) generally requires that insurance coverage for mental health and substance use disorders (SUD) be no more restrictive than coverage for medical surgical services. Recently, I expressed support for new federal regulations implementing the MHPAEA that would strengthen protections for consumers and close loopholes that permitted insurers to avoid covering an individual's mental health or SUD treatment needs.

Unlike most states, Michigan does not have its own mental health parity law. While MCL 500.3425 provides basic parity for SUD services, there is currently no state law providing mental health parity. Given the volatile nature of politics at the federal level, it would be wise for Michigan to pass its own parity law to protect consumers should the winds shift in Washington on this issue in the future.

The SB 27 ensures ongoing protection for Michiganders in the future because it requires health insurers to provide mental health and SUD benefits that are substantially the same as other medical or surgical benefits in the same classification. Importantly, it also restricts the nonquantitative treatment limitations that may be imposed by health insurers on mental health and SUD benefits by requiring the processes, strategies, evidentiary standards, or other factors used in developing and applying such limitations to be comparable and no more stringent than those used with respect to similar medical or surgical benefits.

My Office takes its role in protecting Michigan consumers extremely seriously, and the public health is also a paramount concern to me. Accordingly, I urge you to pass SB 27 and ensure no health insurer refuses to pay for any Michigander's necessary mental health and SUD treatment.

Sincerely,

Handwritten signature of Dana Nessel in blue ink.

Dana Nessel  
Attorney General