



## Do the New Parity Laws Apply to Me?

In order to know whether the *Wisconsin Parity Act* or the federal *Wellstone-Domenici Act* apply to your health plan, you must first know:

- Whether your employer self-insures or buys insurance from a commercial insurer, such as United Health Care or Anthem Blue Cross and Blue Shield.
- Whether your employer has more than 50 employees, or 50 or fewer.

### **If Your Employer Is Self Insured:**

Only the *Wellstone-Domenici Act* applies, and only for businesses with more than 50 employees. The *Wellstone-Domenici Act* does not require plans to offer Mental Health or Substance Use Disorder (MH/SUD) coverage but mandates that the coverage be offered at parity if provided. The vast majority of such plans are reported to be offering MH/SUD coverage, but not all.

If your employer has 50 or fewer employees, neither the federal nor state laws apply—these firms can choose whether or not to offer MH/SUD coverage and at what level.

### **If Your Employer Uses Commercial Insurance:**

If the plan is issued in Wisconsin, your employer must offer MH/SUD services at parity levels. If your employer is headquartered in another state, different requirements may apply. If you are unsure about which law applies to your plan or whether your employer is exempt, please contact the person in your company that handles employee benefits.

### **Individuals Plans**

The federal law does not address MH/SUD coverage in plans offered to individuals (as opposed to employer group plans). The *Wisconsin Parity Act* does not require individual health plans in Wisconsin to provide MH or SUD coverage, but it does require coverage to be at parity levels if offered.

### **Government Programs**

The parity provisions of the federal *Wellstone-Domenici Act* apply to Medicaid managed care organizations—or HMOs—if MH or SUD benefits are offered. Individuals who work for state, county or local governments, or school districts are covered by the parity provisions of both federal and state laws.