

2023 Ohio Mental Health Parity Report

Ohio Department of Insurance
Ohio Department of Mental Health and Addiction Services
RecoveryOhio



Mike DeWine
Governor

Jon Husted
Lt. Governor

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Purpose of This Report

Pursuant to Ohio Revised Code (ORC) 3901.90

“The Superintendent of Insurance, in consultation with the Director of Mental Health and Addiction Services, shall develop consumer and payer education on mental health and addiction services insurance parity and establish and promote a consumer hotline to collect information and help consumers understand and access their insurance benefits.

The Ohio Department of Insurance (ODI) and the Ohio Department of Mental Health and Addiction Services (OhioMHAS) shall jointly report annually on the departments’ efforts, which shall include information on consumer and payer outreach activities and identification of trends and barriers to access and coverage in this state.

The departments shall submit the report to the general assembly, the joint medicaid oversight committee, and the governor, not later than the thirtieth day of January of each year.”



The Law

The primary laws that are used for regulatory and compliance oversight are the Federal Mental Health Parity and Addiction Equity Act (MHPAEA) and Ohio’s Mental Health Law as defined by ORC 1751.01, 3923.28, 3923.281, and 3923.282.

Both MHPAEA and the state law work together to help achieve parity among mental health benefits and medical/surgical benefits.

MHPAEA, often referred to as “mental health parity,” generally requires that mental health conditions and substance use disorders (MH/SUD) be treated by a health plan in the same or similar manner as the plan treats benefits for medical and surgical conditions and disorders. Financial requirements such as co-pays, deductibles and out-of-pocket maximum limitations applied to mental health and substance use benefits should not be more restrictive than for medical/surgical benefits.

Similarly, any treatment limitations—such as prior-authorization requirements, visitation limits or treatment setting restrictions—that may apply to mental health and substance use benefits may be no more restrictive than for physical health benefits.

Partner Organizations



Department
of Insurance

Ohio Department of Insurance (ODI)

The Ohio Department of Insurance (ODI) regulates the business of insurance in Ohio. Its mission is to serve and protect Ohio consumers through fair and efficient regulations, assist and educate consumers, and promote a competitive marketplace for insurers.

To carry out this mission, it licenses insurance agents and agencies, investigates allegations of misconduct by insurance agents or agencies, examines claims of consumer and provider fraud, investigates consumer complaints and monitors the financial solvency and market conduct of insurance companies. ODI has jurisdiction over approximately 12% of the health insurance market in Ohio and is charged with reviewing insurance policies and forms used by insurance companies and the premiums they charge consumers in the life, accident, health, managed care and property and casualty insurance lines.

ODI's Role in Regulating Mental Health Parity

ODI has three responsibilities in regulating mental health parity. First, ODI reviews health insurance products to ensure they are compliant with applicable mental health laws. Second, ODI helps consumers understand their mental health benefits and resolve complaints against insurance companies. Finally, ODI tracks trends in consumer complaints and other data to determine if further investigation of company practices is needed.

ODI Regulation

Oversight of insurer compliance with Ohio's insurance laws takes many forms and involves many different divisions of ODI. The most utilized divisions that ensure compliance are Product Regulation and Actuarial Services, Consumer Services and Market Conduct.

Product Regulation and Actuarial Services

The Product Regulation and Actuarial Services division reviews forms and premium rates used by insurers in Ohio. This division reviews products to ensure that statutorily mandated benefits are included and that the products are compliant with Ohio's insurance laws. In addition, ODI employs actuaries that review rate submissions to ensure that premium rates are actuarially sound.

This division first reviews a proposed insurance product for compliance with mental health parity and other applicable laws to ensure compliance. Once the reviewer has read the submitted documents, the reviewer will formulate a list of "objections" for the company to review. The company must then respond to these objections and resolve them to the satisfaction of the reviewer before ODI will approve the product.

For mental health parity specifically, it is during this process that the reviewers will note and ask about provisions in the contract, if any, that appear to violate the law and/or mislead or deceive the consumer. For example, the division reviewed major medical policies from 15 different companies for the 2023 market. On average, ODI reviewers sent 19 objections per review, and of the objections two per review related to Mental Health Parity.

Consumer Services Division

The Consumer Services division is the first contact most consumers have with ODI if they have a question about their insurance plan, are filing a complaint, or have a general insurance inquiry. In addition to assisting consumers, this division also monitors companies' compliance with Ohio's insurance laws and regulations.

Representatives assist Ohio insurance consumers through a toll-free hotline, educational materials, social media, community outreach, and counseling. Representatives respond to a wide variety of insurance inquiries and investigate insurance complaints against companies and agents. There are different reasons why a consumer may contact Consumer Services regarding their insurance benefits, including:

- Help navigating their certificate of coverage
- Questions about claim delays, denials and policy rescissions
- Filing a complaint
- Questions about rate increases
- Educational information about insurance benefits

When a consumer contacts the Consumer Services division, they speak directly with trained representatives who are well-versed in the applicable type of insurance they are inquiring about (including mental health parity) and Ohio statutes and regulations. ODI's Consumers Services' representatives have experience handling a variety of health benefit matters ensuring the consumer is receiving the best possible assistance. In addition to assisting consumers, the division also reviews overall complaints to identify ways to improve consumer education, tracks and reports trends in complaints and follows through to ensure complaints are resolved.

Market Conduct

The Market Conduct division monitors insurers' compliance with Ohio's insurance laws and regulations by examining insurance companies' business practices, such as underwriting, marketing, and claims handling. This division is responsible for gathering industry information from a variety of sources, including consumer complaints, company filings, and the National Association of Insurance Commissioners (NAIC).

For example, if the Consumer Services division is unable to resolve a complaint, the Market Conduct division may be utilized to resolve the issue directly with the insurer. A wide variety of data is analyzed to determine if a particular company or issue needs further scrutiny. ODI – through Market Conduct – can request additional reporting, require companies to take corrective action, and issue civil penalties.



Ohio Department of Mental Health and Addiction Services (OhioMHAS)

The mission of the Ohio Department of Mental Health and Addiction Services (OhioMHAS) is to provide statewide leadership of a high-quality mental health and addiction prevention, harm reduction, treatment, and recovery system that is effective and valued by all Ohioans.

The agency works with community partners to embed behavioral health resources into programs that serve individuals of all ages throughout Ohio. This work results in improved healthcare integration and coordinated services that can intervene early to find effective treatments to challenging diseases of the brain.



RecoveryOhio

Governor Mike DeWine commissioned the RecoveryOhio initiative to coordinate the work of state departments, boards, and commissions by leveraging Ohio's existing resources and seeking new opportunities.

While engaging local governments, coalitions, and task forces, RecoveryOhio's goals are to create a system to help make treatment available to Ohioans in need, provide support services for those in recovery and their families, offer direction for the state's prevention and education efforts, and work with local law enforcement to provide resources to fight illicit drugs at the source.

Actions Taken in 2022



With continued support from the Ohio Legislature, the department was allocated \$1 million for FY23. This matched funding provided in FY22 and was essential to ODI initiatives this past year.

Ohio Department of Insurance

Enforcement Efforts

Consumer Complaints

In 2022, the Consumer Services Division handled 7,271 total complaints; 2,837 of them were specific to accident and health insurance. Of those accident and health insurance complaints, 17 were related to coverage for mental health and substance use disorder services and those breakdown as follows:

- 6 were outside of ODI’s jurisdiction based on plan type. Consumers were provided additional information for the regulatory agency that can best assist them with their case.
- 9 were upheld in the company’s favor.
- 1 was reversed in the consumer’s favor.
- 1 case is currently pending.

Complaint Numbers and External Reviews

External Review

Ohioans have the right to appeal a claim denial or an adverse benefit determination through their insurer. ODI can help consumers navigate this process.

After a consumer appeals an adverse benefit determination through their insurer, they can request a second review of the adverse benefit determination through their insurer.

The second appeal is then handled by ODI and is called an external review.

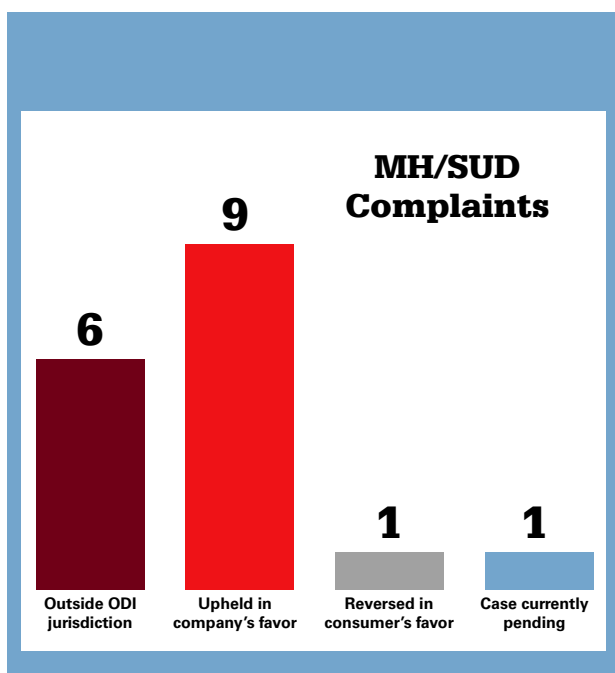
From January 1, 2022, through December 31, 2022, ODI received 18 requests for external review related to mental health and substance use disorder benefits.

10 cases were medical related and reviewed by an independent review organization (IRO) and 8 cases were contractual and reviewed internally by the department:

- 7 were upheld in the company's favor.
- 8 was reversed in the consumer's favor.
- 3 cases are currently pending.

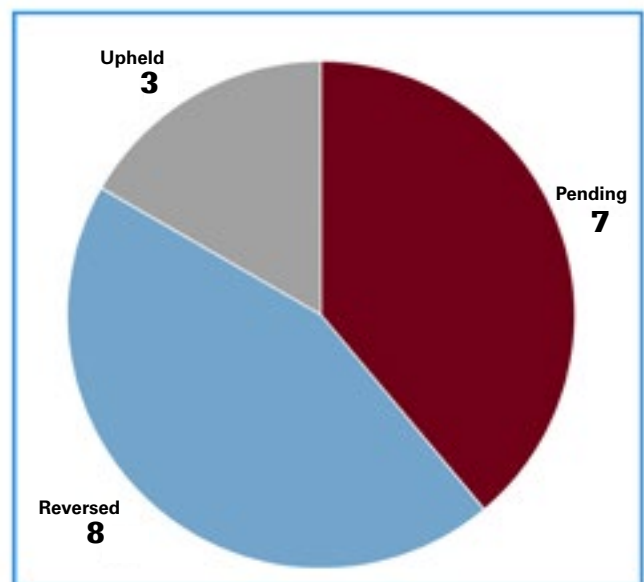
Consumer Complaints

Of the 2,837 accident and health insurance complaints, 10 were related to coverage for mental health and substance use disorder services which breakdown as follows:



External Review Results

ODI also reviewed 18 requests for external review related to mental health and substance use disorder benefits.



10 cases were medical-related and reviewed by an independent review organization (IRO), and 8 cases were contractual and reviewed internally by the department.

Enforcement Update

ODI continues to work with all health plans to promote a uniform industry understanding of the MHPAEA law and compliance. The department and health plans have frequent communications where the department shares information helpful to the health plans and insurers are encouraged to ask questions and get clarification on issues.

In 2022, the department contracted with a firm to assist in the comprehensive review of insurers' MHPAEA compliance filings. This collaboration resulted in internal process improvements in the department's filing and review process, as well as identified areas of improvement for insurers. The department will notify all insurers of the improvement opportunities and set the expectation that the 2024 MHPAEA filings incorporate the feedback.

Additionally, the department continues its involvement in MHPAEA state oversight at the national level as an active member of the National Association of Insurance Commissioners (NAIC).

Research and Actuarial Analysis of Mental Health and Substance Use Disorder Benefits

The department contracted with a firm to evaluate and compare the level of coverage available for mental health and substance use disorder benefits under Medicaid Managed Care Organization (MCO) plans and fully-insured plans operating in Ohio. The purpose of this study was to identify any gaps in coverages and benefits for both adolescents and adults receiving mental health and substance use disorder treatments with a MCO plan versus a fully-insured plan. The department is utilizing funding granted under the budget for FY22 and FY23 to pay for the study.

Introduced Mental Health Insurance Assistance Office

In 2022, the department introduced the Mental Health Insurance Assistance Office (MHIA) at the Ohio State Fair, with its hotline and email address going live in July. The MHIA office is the state's official resource for navigating insurance coverage of Mental Health and Substance Use Disorder (MH/SUD) treatments. Consumers, advocates, and providers are encouraged to contact the office if they have any questions or concerns regarding insurance coverage of MH/SUD services. The MHIA office can be contacted at: 855-GET-MHIA (855-438-6442) and getmhia@insurance.ohio.gov

During the second half of 2022 a representative from the MHIA office hosted a table at the following events:

- OACABA Recovery Celebration
- Ohio State Fair
- Wonderbus Music & Arts Festival
- Recovery is Beautiful Fall Festival
- Two Mental Health professional conferences

Department staff were also invited to speak at the following events:

- The New Fellowship Baptist Church Mental Health Awareness Event
- The MHAAC November Membership Meeting

We continue regular communication with our collaborative stakeholder partners, while identifying and reaching out to groups all over Ohio that could benefit from our mental health resources and toolkit. These groups provide new training opportunities and open the door to reaching more Ohioans.

Trainings

In 2022, ODI continued offering virtual educational training sessions. ODI offers two training tracks. One focuses on consumers and the other focuses on provider-related items.

The consumer training focuses on reaching families, individuals in recovery, and patient and consumer advocates. The training provides an in-depth look at how to identify and access one's MH/SUD insurance benefits offered in a plan. The training also provides a step-by-step overview of the consumer complaint and appeals processes along with live demonstrations on filing a complaint or appeal. In 2022 the department hosted a two virtual trainings and reach a total of 95 consumers.

The provider training focuses on reaching behavioral health providers, office billing personnel, utilization review teams and other administrative professionals. The training covers the department's role in regulating MH/SUD insurance benefits, information about the state and federal mental health insurance laws including Ohio's BBMI law and MHPAEA. Lastly, the training provides an overview on how to file complaints and appeals on behalf of patients and/or for the providers themselves.

In 2022 the department hosted one live virtual provider training for 160 providers and one pre-recorded virtual training in partnership with the Ohio Counseling Association.

In early 2021, RecoveryOhio in partnership with Addiction Policy Forum, launched enCompass: A Comprehensive Training on Navigating Addiction. Ohio was the first state to pilot this comprehensive training opportunity for all community members.

Stakeholder Outreach

The department, in coordination with RecoveryOhio, continued to engage with consumer, provider, and advocate stakeholder organizations while reaching out to groups throughout Ohio that could benefit from our mental health resources. Highlights include:

- Coordination with State Highway Patrol to provide 20,000 pieces of literature about the MHIA office for packets the law enforcement agency will be distributing to DUI arrestees starting January 1, 2023.
- Continued participation in Parity Coalition meetings.
- Membership on the OHMAS First Responder's Subcommittee and the Problem Gambling Advisory Board.
- Attending the Mental Health & Addiction Advocacy Coalition's Public Officials Breakfast
- Continued conversations with providers, billing staff and utilization review teams to better understand the provider experience with private insurance plans.

Communications

In 2022, the department continued a steady drumbeat of mental health-related posts throughout the year on all social media platforms using timely and relevant hashtags.

The department also began its own year-long mental health social media campaign using the hashtag “#mentalhealthmonday”.

During the #mentalhealthmonday campaign, ODI urged Ohioans to reach out to us if they had questions about mental health insurance and shared resources such as our “Employer Toolkit”, “Helpful Tips for Consumers”, and “Questions to Ask Your Health Insurance Provider”.

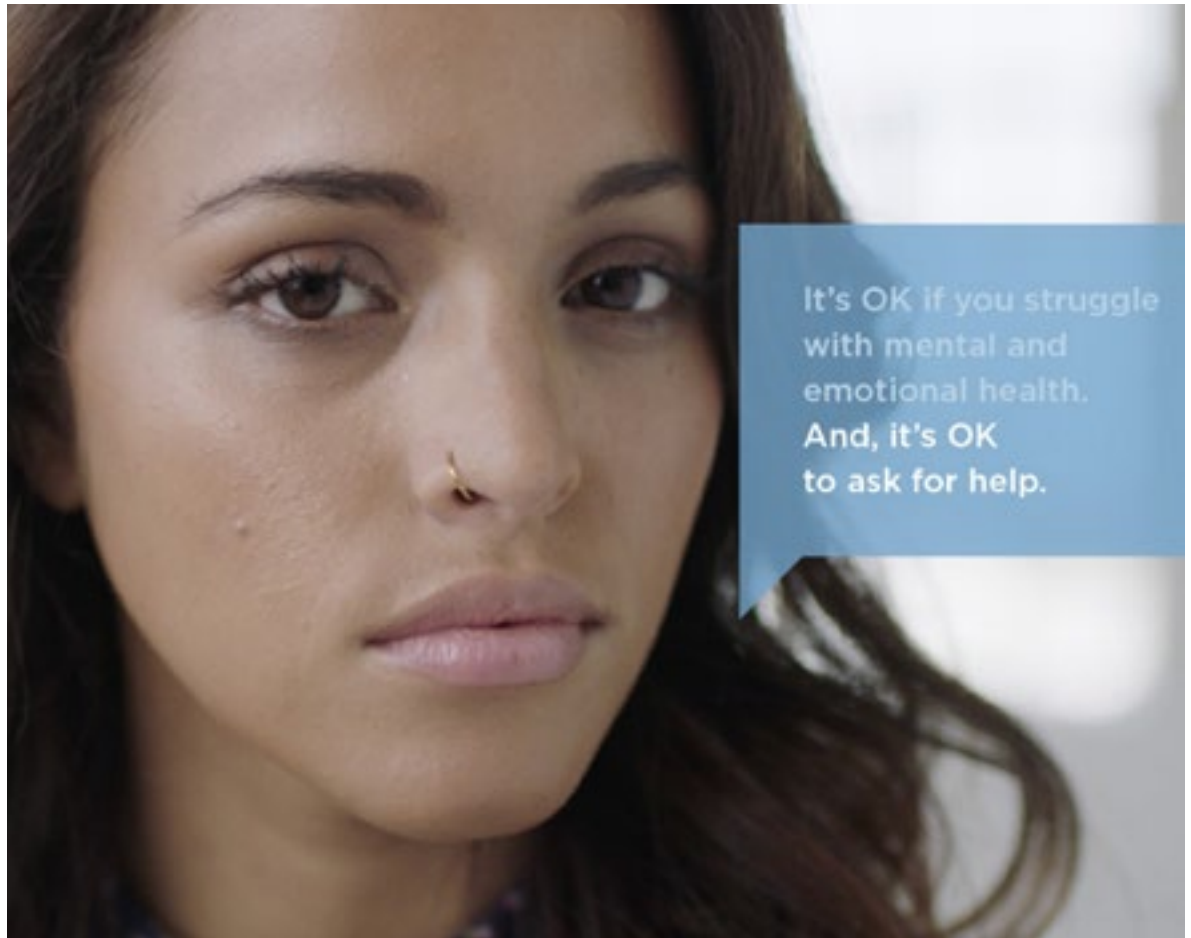
Overall in 2022, the department posted about mental health insurance more than 200 times, resulting in 39,400 impressions and approximately 500 engagements across all social media channels.



#mentalhealthinsurance



#getmhia



It's OK if you struggle with mental and emotional health. And, it's OK to ask for help.

Ohio Department of Mental Health and Addiction Services

Providing Real-Time Connection to Expert Help

Ohio CareLine

OhioMHAS continued to promote the Ohio CareLine, which was launched in April 2020 as the state ramped up efforts to help Ohioans struggling with pandemic-related anxiety, depression and stress. It provides an immediate service by connecting callers with trained support professionals who can also make connections to local care.

The CareLine, which can be reached at 800-720-9616, operates 24 hours a day, 7 days a week. As of July 2022, more than 11,300 calls have been made to this service to seek help, information, and referrals to local mental health and addiction prevention, treatment, and recovery supports. HB 110, the biennial operating budget for FY 22 and FY 23, included \$950,000 over the biennium to further improve and support the CareLine.

OhioMHAS continues to invest in building a quality crisis services system, a critical part of the overall continuum of care. Crisis services provide needed

assistance to Ohioans and their families before an emergency occurs, rapidly respond to and stabilize a person while they are experiencing a crisis and make strong connections to community-based treatment services and needed supports after a crisis occurs.

Implementation of National Suicide Prevention Lifeline 988

OhioMHAS is leading the state's effort to implement 988, the new three-digit number for the National Suicide Prevention Lifeline, which launched nationwide on July 16, 2022, and is a front door into the state's crisis system. Ohioans who are experiencing a mental health or addiction crisis, and their family members, are now able to call, text, or chat 988 in order to reach a trained specialist who can offer help and support.

The easy-to-remember 3-digit number will provide greater access to life-saving services. OhioMHAS is also working with federal, state, local partners, and stakeholders to ensure the implementation of 988 is successful across the state.

All 988 call specialists receive thorough suicide prevention and crisis intervention training based on best practices. 988 is a direct connection to a compassionate person trained to provide support to anyone in distress.

Over the last 18 months, OhioMHAS has worked to expand the number of the state's Lifeline call centers from 12 to 19, ensuring Ohioans in all 88 counties have access to coverage and support.

TreatmentConnection.com Launched

OhioMHAS launched TreatmentConnection.com in November 2021, a public online portal that enables people to anonymously self-screen and seek mental health and addiction treatment for themselves or others from nearby providers. It gives Ohioans living with mental illness and addiction another way to access accurate information about the services available in their community, as well as the ability to reach out to those service providers to begin potentially life-changing conversations. This service was initially launched in Northeast Ohio to residents of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Portage, and Summit counties, and the department is working to expand the tool statewide.

As one of the new OhioRISE services, Ohio's Mobile Response and Stabilization Services (MRSS) Program became reimbursable through Medicaid in July 2022. Ohio's MRSS program provides mobile, on-site, and rapid intervention for youth experiencing a behavioral health crisis, allowing for immediate de-escalation of the situation in the least restrictive setting possible, prevention of the condition from worsening, and the timely stabilization of the crisis. The mobile crisis component of MRSS is designed to provide time-limited, on-demand crisis intervention services in any setting in which a behavioral health crisis is occurring, including homes, schools, and emergency departments.

Ohio's MRSS program serves youth up to age 21 and their families. Funding to expand the MRSS program was a key priority in HB 110, the state's operating budget for FY 22 - FY 23. Benefits of the program include reducing/deterring emergency department visits and inpatient admissions, reducing out-of-home placements, reducing lengths of stay and the cost of inpatient hospitalization, and improving access to behavioral health services.



Recovery Ohio

Promoting the State's Mental Health Resources

Ohio State Fair

On Friday, August 5 volunteers from ODI, OhioMAS, and RecoveryOhio took over the Ohio State Fair's Cardinal gate connecting with the 71,393 fairgoers giving them drawstring backpacks and handouts promoting the state's mental health resources.

Professionally produced signage was prominently displayed at the Cardinal Gate (gate 1), the OHIO Gate (gate 8), and gate 2 as fairgoers drove into the main parking lot. And RecoveryOhio's logo was on the LED reader board as people entered the fairgrounds.

Additionally, professionally produced and embroidered ballcaps featuring RecoveryOhio's logo were worn by gate personnel and RecoveryOhio's logo was stamped on the hands of all who exited and wished to re-enter the fair later in the day.

Director French, Director Criss, and Interim Director Shadwick participated in the daily parade as the Grand Marshalls. As the parade passed by the grandstand a mental health specific script promoting RecoveryOhio's Mental Health Day at the fair and state resources was read. Additionally, eight public address announcements aired across the fairgrounds throughout the day.



RecoveryOhio's Mental Health Day at the fair information and resources were also included in a number of fair-related print and electronic publications.

- RecoveryOhio was recognized on the "Special Days" page on the Ohio State Fair website. During "Fair Season" (July 1 – Aug. 31) there were 70,596 views on this website page and during the Fair (July 27- Aug.7) there were 43,241 views on this website page.
- RecoveryOhio received a quarter-page, full-color advertisement, as well as logo inclusion on the sponsor thank you page in the official Ohio State Fair Resource Guide. Approximately 50,000 copies were printed and distributed in advance of and during the Fair.
- The RecoveryOhio logo was recognized on the cover page of the Daily Schedule on Friday, August 5th. RecoveryOhio's display space inside the main Cardinal Gate was also recognized on August 5th.
- A RecoveryOhio business card size advertisement was included on the Daily Schedule from July 27th through August 5th. A total of 17,000 Daily Schedules were printed and distributed on August 5.
- RecoveryOhio was recognized as a sponsor on the Ohio State Fair's website, ohiostatefair.com, with a reciprocal link to RecoveryOhio's website. The website receives approximately 1.2 million views during the Fair, approximately 2.8 million views leading up to the Fair, and nearly 1,250 views on the sponsor landing page specifically.
- RecoveryOhio was recognized on the Sponsor Logo Sign located in Central Park on the south side of the Ag-Pro Companies Taft Coliseum for the full run of the Fair.
- RecoveryOhio was recognized on the Ohio State Fair Facebook and Instagram page on August 5th. The Facebook post reached nearly 15,200 individuals, and it received over 15,600 impressions and had over 445 engagements. On Instagram, 2,822 individuals viewed the post and it received 151 shares and likes.
- The Ohio State Fair sent out emails to its more than 110,000 subscribers that included exciting new things happening at the 2022 Ohio State Fair. At least one e-blast promoted RecoveryOhio's partnership with the Fair and Mental Health Day.

Ongoing Efforts for 2023



Ohio Department of Insurance (ODI)

- Work with the firm to complete the Research and Actuarial Analysis of MH/SUD Benefits.
- Advertise the MHIA office with the goal of processing 100 consumer/provider calls in 2023.
- Conduct quarterly consumer and provider trainings.
- Continue employer outreach. The department will be seeking to engage with various employer stakeholders including the Ohio Business Roundtable, The Ohio Chamber of Commerce, The National Federation of Independent Business and others in order to understand the challenges facing employers when it comes to navigating mental health and substance use disorder insurance benefits and stigma reduction in the workplace
- Expand faith-based outreach efforts to build community relationships.
- Continue exploring new outreach opportunities specifically engaging minority communities, veterans, first responders, teachers, school mental health professionals, and families. ODI will also continue to communicate with the provider community including local boards, commissions, free standing facilities and provider advocacy organizations to identify areas of collaboration.



Ohio Department of Mental Health and Addiction Services

- Continue to monitor telehealth and rules at both the state and federal levels so the department is prepared to adapt to any changes needed to maintain an emphasis on clinical quality, effectiveness, and outcomes in future policy development. This also includes expanding training and technical assistance for provider agencies and clinicians.
- In addition to aligning state and federal policy, enhanced collaboration across state regulatory bodies is necessary to assure on-going access to telehealth services. OhioMHAS-certified community behavioral health centers who utilize telehealth must provide quality, professional services in compliance with all federal, state, and local laws, including the respective Ohio professional licensing board provisions.
- Continue to track the number of consumer complaints related to parity and insurance coverage that come in through the CareLine and the toll-free helpline OhioMHAS operates to help connect individuals to prevention, intervention, treatment, and recovery resources. In prior years, there have not been a significant number of calls related to issues with insurance; however, this will be important to monitor for changes as it is expected that more people will seek treatment due to the behavioral health related impact of the pandemic.
- Actively engage in education to emergency departments on requirements and expectations for care of a person who presents with a psychiatric crisis.
- Continue the statewide expansion of [TreatmentConnection.com](https://www.treatmentconnection.com) to help increase the visibility and accessibility of available services and connections to providers in local communities.
- Continue to develop, strengthen, and support Ohio's crisis response system to serve as a timely and appropriate alternative to arrest, incarceration, or unnecessary hospitalization.
- Oversee the implementation and launch of 988 in Ohio.
- Continue work to expand MRSS statewide by increasing the number of providers offering this service and the number of professionals trained to help support children with complex behavioral health needs and their families.

2023 Ohio Mental Health Parity Report



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RECOVERY
The logo for RecoveryOhio, featuring the word "Ohio" in a blue, sans-serif font with a yellow sunburst graphic behind the letter "o".
RecoveryOhio
recoveryohio.gov/home