

MEMBER DISCLOSURE MENTAL HEALTH PARITY – EXCELLUS BCBS

Excellus BlueCross BlueShield (“Excellus BCBS”) is committed to ensuring parity in the coverage and benefits applicable to mental health and substance use disorder (“MH/SUD”) services under your benefit plan (“Plan”), as required under applicable state and federal mental health parity laws.

Certain terms used in this document are defined as set forth below.

Definitions:

Aggregate lifetime dollar limit means a dollar limitation on the total amount of specified benefits that may be paid under the Plan for all services.

Annual dollar limit means a dollar limitation on the total amount of specified benefits that may be paid in a 12-month period under the Plan for all services.

Benefit classifications are:

- Inpatient, in-network
- Inpatient, out-of-network
- Outpatient, in-network
- Outpatient, out-of-network
- Emergency care
- Prescription drugs

Financial requirements are the cost sharing amount(s) the member is responsible for including deductibles, copayments, coinsurance, and out-of-pocket maximums (but do not include aggregate lifetime or annual dollar limits).

Non-Quantitative Treatment Limitations (NQTLs) are treatment limitations which are not expressed numerically or quantitatively but can otherwise limit access to coverage or the scope or duration of benefits for treatment under the Plan.

Quantitative Treatment Limitations (QTLs) are treatment limitations that determine whether or to what extent benefits are provided based on accumulated amounts, such as annual or lifetime day or visit limits, which are expressed numerically (such as 50 outpatient visits per year).

Treatment Limitations include limits on benefits based on the frequency of treatment, number of visits, days of coverage, days in a waiting period, or other similar limits on the scope or duration of treatment. Treatment limitations include both QTLs and NQTLs.

When Excellus BCBS is responsible for the design of your Plan, the following tests are performed, and certified with the New York State Department of Financial Services (“NYSDFS”) to ensure compliance with mental health parity laws in that the Plan:

- A) Does not impose a lifetime dollar limit or an annual dollar limit on MH/SUD benefits that is lower than the lifetime or annual dollar limit imposed on medical/surgical (“M/S”) benefits (*note*, this dollar limit refers to what the Plan would pay, not to dollar limits on what you may be charged);
- B) Does not impose a financial requirement or quantitative treatment limitation (“QTL”) to MH/SUD benefits in any benefit classification that is more restrictive than the predominant financial requirement or QTL of that type that is applied to substantially all M/S benefits in the same classification; and
- C) Does not apply any financial requirement or QTL for MH/SUD benefits in a classification that accumulates separately from any financial requirement or QTL established for M/S benefits in the same classification.

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In determining whether a QTL applies to MH/SUD benefits under your benefit plan, Excellus BCBS first determines if a particular type of QTL applies to at least two-thirds of the M/S benefits in the classification. If so, the predominant level of that type of QTL is then determined based on whether it applies to more than one-half of the M/S benefits in that classification. A QTL is applied to MH/SUD benefits only if it applies to at least two-thirds of the M/S benefits in a classification and is the predominant level applied of the QTL applied to M/S benefits in the same classification.

Excellus BCBS has performed the QTL tests for your Plan and has determined that it is compliant with the Federal Mental Health Parity requirements. Your plan's financial requirements will be certified in a future NYS submission.

Excellus BCBS has completed analyses comparing the processes, strategies, evidentiary standards, and other factors used to apply the NQTLs to MH/SUD benefits and M/S benefits. These analyses demonstrate that, as written and in operation, the processes, strategies, evidentiary standards, and other factors used to apply the NQTLs to MH/SUD benefits are comparable to, and are applied no more stringently than, the processes, strategies, evidentiary standards, and other factors used to apply the NQTLs to M/S benefits in the benefit classification.

The NQTLs which are implemented and administered by Excellus BCBS and which may be applicable to your Plan are:

- Certification Requirements*
- Coding Edits
- Concurrent Review
- Exclusion for Court Ordered Treatment*
- Experimental/Investigational
- Fail First*
- Fraud, Waste and Abuse
- Geographic Restrictions*
- Medical Necessity
- Outlier Review
- Out of Network Coverage Standards
- Prior Authorization
- Provider Credentialing
- Provider Reimbursement
- Provider Type Exclusions*
- Retrospective Reviews
- Formulary Designs
- Quantity Limits
- Step Therapy
- Unlicensed/Uncertified Providers*
- Usual, Customary, Reasonable

*Applicable to Medicaid Managed Care/Health and Recovery Plan, Child Health Plus products only

Excellus BCBS reviews and updates, as necessary, the comparative analyses of the above NQTLs. Based on the most recent analyses, Excellus BCBS has determined that the NQTLs applicable to your Plan are in compliance with mental health parity laws.

Excellus BCBS has further implemented a parity compliance program which, among other things, requires written policies and procedures that describe how parity compliance is assessed, monitored, and managed, as well as methodologies for the identification and remediation of improper practices. Excellus BCBS has also implemented a system for the ongoing assessment of parity compliance and training and education for all employees, and others, engaged in functions that are subject to mental health parity requirements.

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For more information or to request a full copy of the comparative analyses for any NQTL please contact: Excellus Health Plan member services [1-800-499-1275](tel:1-800-499-1275)

Additional support is available from the following agencies:

- Office of Mental Health
- Office of Addiction Services and Supports
- Substance Abuse and Mental Health Services Administration
- Department of Financial Services
- Department of Health