

From: **Tina Thomas** <tinat@wmimutual.com>
Date: Fri, Mar 12, 2021 at 10:40 AM
Subject: Comment on Proposed Rule Making Regarding Mental Health Parity
To: <public_comments@difi.az.gov>

Good morning,

On behalf of WMI Mutual Insurance Company, I submit the comments below on the proposed rule:

1) R20-6-1503(C) sets forth those plans that are exempt from reporting. Small group transitional plans are not included in this section, but they should be, since they are exempt from the requirements of MHPAEA. The HHS MHPAEA tool (which is referenced in the proposed rule), page 6, confirms that MHPAEA does not apply to small employers. The ACA required that small group, non-grandfathered plans comply with MHPAEA requirements if they are required to provide coverage for EHB's. Small group transitional plans are not required to provide such EHB coverage.

Also, FAQ #12 of CMS's Affordable Care Act Implementation FAQ's – Set 18, sets forth that “...all non-grandfathered small group market coverage that is not otherwise subject to the HHS transitional policy...” is subject to MHPAEA (emphasis mine).

For these reasons, small group transitional plans should be included in the exempted plans section.

2) We are a very small carrier. We do not have in-house IT personnel, nor do we create and manage the PPO network that we use (we only lease the network). As such, we are subject to the time schedules and cost requirements of our third-party vendors, and there will be time and financial costs associated with developing the required reports. Our goal is to keep the costs that are passed along to our insureds as minimal as possible.

R20-6-1506(D) allows an exemption for Exhibits C-N across all health plans that have 25 or fewer covered lives. This is a very low number and could possibly impose the reporting requirements on a carrier that only has one enrolled group that is subject to MHPAEA. We respectfully request that the exemption number be increased to a minimum of 100 (possibly even 250) and, in addition, that it apply to the reporting requirements of all Exhibits A-N.

3) We request that the Department also consider a delayed effective date to allow for additional time in coordinating efforts with third-party vendors to develop the required reports.

Thank you for the opportunity to comment. We appreciate your consideration.

Sincerely,

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