

Is My Insurance Plan Covered by the Parity Law

In order to fully understand your rights, it is important to know what type of insurance plan you have. Not all plans are covered by parity laws, and some plans are covered by only the federal law. If you are unsure what type of plan you have, you can ask your HR Director at your employer or call the number on the back of your insurance card.

TYPE OF PLAN	EXAMPLE	FEDERAL PARITY LAW	MD PARITY LAW	WHERE TO FILE A COMPLAINT	NOTES
Federal Government Employee Plan	Any federal employee insurance, except military or veterans	Yes	No	US OPM	
Individual Plan	You purchase this plan for yourself; including via Maryland Health Connection	Yes	Yes	Maryland Insurance Administration and/or US DOL	These plans MUST provide MH/SUD benefits.
Insured Employer (large or small)	Small nonprofit such as MHAMD	Yes	Yes	Maryland Insurance Administration and/or US DOL	These plans MUST provide MH/SUD benefits.
Medicaid	Health plans for individuals with low income (below 139% of federal poverty level) or who meet other criteria	Yes	No		Individuals who receive any Medicaid benefits via a managed care organization (Health Choice in MD) are entitled to parity protections.
Medicare	Health plans for individuals 65 and older	No	No	US DOL	Medicare is exempted from the Federal Parity Law, but as of 2014, Medicare will pay 80% of the cost of outpatient behavioral health services. Currently, Medicare has a 190-day lifetime limit for inpatient mental health care. This same limit does not exist for inpatient medical or surgical care.
Self Insured Employer (large or small)	MD State employee health plan	Yes	No	US DOL	
State or Local Government Employee Plan	MD State employee health plan	Yes	No	US HHS	State and local government plans are covered under Federal Parity Law only, but may request an exemption.
Veterans/ Department of Defense Plan	Any active military or veteran plan	No	No	TRICARE	While DOD and TRICARE plans are exempt from both laws, recently TRICARE has decided to comply with most of the parity regulations.