



## FOR IMMEDIATE RELEASE

December 8, 2025

### MEDIA CONTACT:

Angela Lee

[Lee@abhw.org](mailto:Lee@abhw.org)

703-999-5170

### **ABHW Submits Recommendations to the Trump Administration for Improving Mental Health and Substance Use Disorder Parity**

**Washington, D.C.** – The Association for Behavioral Health and Wellness (ABHW), the national voice for payers that manage behavioral health insurance benefits for 200 million people, submitted recommendations to the U.S. Departments of Health and Human Services, Labor, and the Treasury (“Departments”) on ways to improve the mental health and substance use disorder (SUD) parity compliance process.

Since its inception, ABHW has been at the forefront of and an advocate for mental health and SUD parity and was instrumental in drafting the legislation for the initial Mental Health Parity and Addiction Equity Act (MHPAEA) of 2008. ABHW is committed to working collaboratively with regulators and the administration to ensure that the implementation of MHPAEA is both practical and feasible.

The following recommendations were submitted to significantly improve the parity compliance process for health plans, issuers, providers, and patients, and include:

- **Issuing a new rule on mental health and SUD parity to provide greater clarity and alignment with congressional intent regarding behavioral health parity.** The Departments should develop a new rule that aligns squarely with the statutory directives outlined in the Consolidated Appropriations Act, 2021 (CAA 21), which was designed to clarify expectations regarding the documentation and comparative analyses that health plans and issuers must prepare to demonstrate compliance with non-quantitative treatment limitation (NQTL) requirements.
- **Defining clear outcome-based safe harbors for the most investigated NQTL types,** similar to how the Office of Inspector General (OIG) administers safe harbors under the Anti-Kickback Statute. This will bring needed clarity, reduce administrative burden, and allow the Departments to focus enforcement on removing barriers to care.
- **Developing a transparent appeals process that provides health plans with a fair opportunity to contest findings of non-compliance that are not supported by the parity statute or related guidance.** This process would mirror the appeals process model that the Centers for Medicare & Medicaid Services (CMS) utilizes in other areas.
- **Creating a compliance credit for following third-party mental health and substance use disorder parity accreditation standards.** This would



recognize accredited organizations as meeting core parity requirements, promote regulatory consistency, and enhance transparency.

“We’ve faced prolonged ambiguity and complexity with parity regulations for far too long, and our goal is to move toward a clear and workable resolution so people can receive the care they need,” said ABHW President and CEO Debbie Witchey. “Compliance requirements shouldn’t be unnecessarily burdensome, and neither the law nor its regulations should unintentionally limit patient access to care. Our aim is to be constructive, and our recommendations offer a comprehensive, feasible path to achieving parity once and for all.”

ABHW members have worked tirelessly over the past 17 years to implement parity for behavioral health services, and we are committed to working with the Departments to improve access to behavioral health treatment.

Read our full recommendations [here](#).

###

## **ABOUT THE ASSOCIATION FOR BEHAVIORAL HEALTH AND WELLNESS**

ABHW is the leading health plan association working to improve access and quality of care for mental health and substance use disorders. ABHW’s members include national and regional health plans that care for 200 million people. Together, we work to reduce stigma and advance federal policy on mental health and substance use disorder care. ABHW member companies – Aetna, a CVS Health Company; CareFirst BlueCross BlueShield; Caredon Behavioral Health, an Elevance Health Company; Centene Corporation; Evernorth; Kaiser Permanente; Lucet; Magellan Health; Molina Healthcare; Optum; and PerformCare, a subsidiary of AmeriHealth Caritas. To learn more, visit [www.abhw.org](http://www.abhw.org) and follow us on X and LinkedIn.