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State of Connecticut



KEVIN LEMBO
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State of Connecticut

April 4, 2007

The Honorable Christopher J. Dodd
United States Senator
448 Russell Building
Washington, D.C. 20510

RE: Mental Health Parity Legislation, S. 558

Dear Senator Dodd:

We write to express our serious concerns as to the potential impact of S.558 on the citizens of Connecticut. We strongly support this federal effort to expand critical mental health insurance benefits but urge your opposition to provisions of this legislation that preempt strong mental health parity legislation for individual and group policies in Connecticut and vital consumer protections in our health insurance utilization review laws.

First, our most significant concern with S.558 is that it will preempt the applicability of Connecticut's mental health parity legislation. Connecticut currently requires coverage for mental health conditions under group and individual health policies on a parity basis with medical conditions. If S.558 is approved by Congress, our strong mental health parity law would no longer apply with respect to many group health insurance policies covering over 50 employees. As a result, these insurers would likely reduce their coverage of mental health services -- setting mental health policy in Connecticut back nearly ten years.

Second, S.558 may interfere with the application of state utilization review laws. Connecticut has a very strong and balanced utilization review law that is the product of input of consumers, providers and insurers. The bill permits utilization review, but does so pursuant only to the health insurance plan. A health insurance utilization review process may contain significantly less consumer protections than our state law requires.

Third, mental health parity legislation such as S.558 should not set a national ceiling on coverage, but rather a floor that could be built upon by individual states in their traditional role as regulators of health insurance. While we appreciate the effort of the Senate to address this critical national health issue, progressive mental health insurance laws in Connecticut and other states should not be undermined by a federal law that will reduce -- rather than improve -- insurance benefits in our state for people in need of mental health services.

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Finally, S. 558 would allow an opt-out of the provision of mental health parity based on annual increases on financial triggers that we believe to be artificially low. Connecticut does not permit such an opt-out, and indeed, for mental health parity legislation to work, consumers must be able to expect consistency in coverage.

We urge your opposition to S. 558 and allow Connecticut to preserve its progressive mental health parity legislation. If you have any questions or need further information, please contact us.

Sincerely,



Richard Blumenthal
Attorney General



Kevin P. Lembo
State Healthcare Advocate

cc: National Association of Insurance Commissioners
Mental Health Parity Workgroup (CT)
Mental Health Association of Connecticut
NAMI of Connecticut
National Association of Social Workers, Connecticut Chapter
Connecticut Psychological Association
Connecticut Psychiatric Society