



Ohio Revised Code

Section 3902.36 Compliance with federal mental health and addiction parity laws.

Effective: March 24, 2021

Legislation: Senate Bill 284 - 133rd General Assembly

(A) As used in this section:

(1) "Health benefit plan" and "health plan issuer" have the same meanings as in section 3922.01 of the Revised Code.

(2) "Mental Health Parity and Addiction Equity Act" means the federal "Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008," Pub. L. No. 110-343, as amended, and any federal regulations implementing that act.

(B) Each health plan issuer and health benefit plan subject to the Mental Health Parity and Addiction Equity Act shall comply with all applicable requirements of that act. The requirements of this section do not apply to a health plan issuer or a health benefit plan that is exempt from the requirements of that act by operation of law or other federal guidance.

(C) The superintendent of insurance shall implement and enforce all applicable provisions of the Mental Health Parity and Addiction Equity Act and shall do all of the following:

(1) Proactively ensure compliance by health plan issuers;

(2) Evaluate all consumer and provider complaints regarding mental health and substance use disorder benefits for possible parity violations;

(3) Adopt rules in accordance with Chapter 119. of the Revised Code as necessary to do both of the following:

(a) Effectuate any provisions of the Mental Health Parity and Addiction Equity Act that relate to the business of insurance;



(b) Enforce, monitor compliance with, and ensure continued compliance with this section.

(D) Nothing in this section is subject to the requirements of section 3901.71 of the Revised Code.
