

STEVE SISOLAK  
*Governor*

STATE OF NEVADA

TERRY REYNOLDS  
*Director*



BARBARA D. RICHARDSON  
*Commissioner*

DEPARTMENT OF BUSINESS AND INDUSTRY

**DIVISION OF INSURANCE**

1818 East College Pkwy., Suite 103  
Carson City, Nevada 89706  
(775) 687-0700 • Fax (775) 687-0787  
Website: doi.nv.gov  
E-mail: insinfo@doi.nv.gov

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## **Mental Health Parity and Addiction Equity Act Compliance Reporting**

Assembly Bill No. 181<sup>1</sup> of the 2021 Nevada Legislative session (AB181) requires the Commissioner of Insurance on or before July 1<sup>st</sup> of each year, to prescribe and provide a data request that solicits information necessary to evaluate the compliance of an insurer or other organization with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, Public Law 110-343, Division C, Title V, Subtitle B, including, without limitation, the comparative analyses specified in 42 U.S.C. § 300gg-26(a)(8) (MHPAEA).

Entities subject to AB181, should use the following guidance to comply with the reporting requirements due October 1, 2022.

**1. Entities required to comply with the provisions in AB 181 section 9, subsection 3 are defined in subsection 1 of AB 181.**

*An insurer or other organization providing health coverage pursuant to chapter 689A, 689B, 689C, 695A, 695B, 695C, 695F or 695G of NRS, including, without limitation, a health maintenance organization or managed care organization that provides health care services through managed care to recipients of Medicaid under the State Plan for Medicaid.*

**2. Information required for the data request**

For the October 1, 2022 data request submission deadline, entities must provide the following documentation to show compliance with MHPAEA.

- a) Comparative analysis of Non-Qualitative Treatment Limits for the following areas:
  - i. Authorization/Prior Authorization
  - ii. Facility Admission Standards
  - iii. Clinical Review/Treatment Plans
  - iv. Medical Necessity

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<sup>1</sup> A copy of Assembly Bill 181 of the 2021 Nevada Legislative session can be found at the following link:  
<https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7551/Overview>

- b) Provide a breakdown of the coverage exclusions that exist for Medical/Surgical coverages and for Mental Health and Substance Abuse.

An entity subject to AB181 reporting requirements can provide a copy of the analysis prepared by the entity to be submitted to the Federal Government per 42 U.S.C. § 300gg-26(a)(8) (Prepared Analysis) demonstrating compliance with MHPAEA to meet this reporting requirement.

For any of the documentation listed above under part 2. a) and b) that is not addressed in the Prepared Analysis or for entities that do not have Prepared Analysis, exhibits must be attached to address the Commissioner's data request to show compliance with MHPAEA.

**3. Submissions must be made using the System for Electronic Rate and Form Filing (SERFF).**

The data requested under Section 9, subsection 3 of AB181 must be submitted to the Commissioner through SERFF under the Type of Insurance (TOI) – Required Industry Reports - Insurers and the Sub-TOI MHPAEA Compliance Report

Questions concerning the bill, or this guidance can be directed to the Product Compliance section, at [productcompliance@doi.nv.gov](mailto:productcompliance@doi.nv.gov).