**An act requiring mental health parity for disability policies**  
H. 908/S. 615

**Summary of Issue**

Currently there are discriminatory limitations in private short- and long-term disability policies on benefits paid to persons disabled by mental disorders. Either no benefits are paid to these workers or they are paid for a shorter period of time than persons disabled by physical disorders.

**Sponsor of Act:** Rep. Ruth Balser, Sen. Joan Lovely  
**Status:** Joint Committee on Financial Services


**What this Bill Does**

The bill prevents insurance companies from limiting disability benefits ONLY for those with behavioral health diagnoses.

**Argument Insurance Companies will use against Bill**

Insurance companies protest that limiting disability policies saves money and keeps premiums low.

**Reasons to support the ban on disability insurance discrimination against persons with behavioral health disabilities**

--These limits on benefits are based on stigma directed toward persons with mental disabilities, not on hard evidence. Insurers have no evidence that covering persons with mental disabilities is more expensive than covering persons with physical disabilities.

--Adequate benefits are necessary to all for sufficient treatment and time for recovery to allow them to return to work successfully.

--Save state and federal money by stopping highly profitable insurance companies from shifting the cost of supporting the disabled to the government.

--Given our experience with providing people with mental illness parity in health insurance, any increase in disability insurance costs is likely to be minimal (it was 1.4% for health insurance).
It's only fair that employees disabled by mental illness who paid the same premiums as other employees get the same benefits. What other group pays the same price for something and gets less?

**Please support H. 908/S. 615**

**An Act requiring mental health parity for disability policies.**

**SECTION 1.** Section 108 of chapter 175 of the General Laws is hereby amended by adding the following:-

"13. No individual policy of short-term or long-term disability insurance providing income replacement benefits that is issued or renewed in the Commonwealth shall impose benefit limitations or exclusions upon claimants affected by behavioral health disorders, where such limitations or exclusions are not imposed equally upon claimants affected by physical disorders."

**SECTION 2.** Section 110 of chapter 175 of the General Laws is hereby amended by adding the following subsection:-

"(Q) No certificate of coverage under a group policy of short-term or long-term disability insurance providing income replacement benefits that is issued or renewed in the Commonwealth shall impose benefit limitations or exclusions upon claimants affected by behavioral health disorders, where such limitations or exclusions are not imposed equally upon claimants affected by physical disorders."

**SECTION 3.** Nothing in this Act shall be construed to prohibit periodic medical exams or other procedures reasonably calculated to determine whether or not a disability exists, or continues to exist; provided said examinations, procedures or protocols are comparable and no more frequent or onerous than those required for disabilities caused by physical disorders.

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