California Expands Mental Health Parity Requirements

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California recently enacted Senate Bill 855 (?ÃÂ£***SB 855***?ÃÂ¥), which expands certain requirements related to mental health and substance use disorders. SB 855 applies to any California ?ÃÂ£health care service plan contract?ÃÂ¥ or disability insurance policy issued, amended, or renewed on or after January 1, 2021. Significantly, SB 855 renders ?ÃÂ£void and unenforceable?ÃÂ¥ any provision in a health care service plan contract that reserves discretionary authority to the plan to determine eligibility for benefits or coverage, interpret the terms of the contract, or provide for standards of interpretation or review that are inconsistent with California law. If this provision is not preempted by ERISA as applied to an employer-sponsored group health plan, such mandate could eliminate the deferential standard of review that would otherwise be available under ERISA to the plan administrator. SB 855 is available **here**.

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