

## Court Finds Plausible Claim for Violation of Mental Health Parity and Addiction Equity Act

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In *Peter E. and Eric E. v. United Healthcare Services, Inc.*, the plaintiffs, a father and son, brought a claim against the defendants for violation of the federal Mental Health Parity and Addiction Equity Act (the “**MHPAEA**”), alleging that the group health plan’s denial of continued coverage for the dependent son’s mental health and substance abuse treatment violated the MHPAEA. This alleged violation, the plaintiffs argued, resulted in an impermissible disparity under the MHPAEA because equivalent mental health/substance abuse benefits were denied, but analogous levels of medical/surgical benefits would have been covered under the plan. Holding that the plaintiffs had alleged sufficient facts to show they had a plausible claim for a violation of the MHPAEA, the court denied the defendants’ motion to dismiss and allowed the case to proceed to trial. Although this court’s opinion is controlling only in the jurisdiction in which it was issued (Utah), the case is a good reminder to employers that sponsor group health plans subject to the MHPAEA to review their plan documents and SPDs (including any benefit booklets prepared by third party administrators) to ensure that such documents do not contain language that reflects an impermissible disparity in the provision of mental health/substance abuse benefits versus medical/surgical benefits under the plan. The court’s opinion is available [here](#).