

DOL and UnitedHealthcare Reach Settlement for Mental Health Parity Violations

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The DOL and UnitedHealthcare ("**UHC**") recently reached a settlement agreement for UHC's alleged violations of the Mental Health Parity and Addition Equity Act (the "**MHPAEA**"). Under the MHPAEA, employer-sponsored group health plans and health insurance issuers that provide mental health or substance use disorder ("**MH/SUD**") benefits are prohibited from imposing less favorable benefit limitations on those benefits than on medical/surgical benefits. In its investigation, the DOL found that UHC, among other things, "systematically reimburse[d] participants and beneficiaries for out-of-network mental health services in a more restrictive manner than for out-of-network medical and surgical services." This case is another indication that MHPAEA enforcement is a high priority for the DOL. As discussed in our prior blog posts [here](#) and [here](#), the MHPAEA requires employer-sponsored group health plans that impose nonquantitative treatment limitations ("**NQTLs**") on MH/SUD benefits to perform and document a comparative analysis of the design and application of NQTLs. This comparative analysis must be provided to the DOL upon request. Plan sponsors should take the actions necessary to ensure their group health plans are able to produce the required NQTL comparative analysis.