



BULLETIN 22-EX-7

TO: ALL ENTITIES OFFERING HEALTH BENEFIT PLANS IN GEORGIA

**FROM: JOHN F. KING
INSURANCE AND SAFETY FIRE COMMISSIONER**

DATE: NOVEMBER 29, 2022

**RE: ANNUAL SUBMISSION OF MENTAL HEALTH PARITY COMPARATIVE
ANALYSES REPORT**

The Official Code of Georgia (O.C.G.A.) § 33-1-27(b)(4) requires health insurers offering coverage for mental health or substance use disorders as part of a health care plan to comply with Georgia’s Mental Health Parity Act. Insurers subject to the preceding Code section are required to submit data on mental health parity on an annual basis to the Office of the Commissioner of Insurance.

FILING INSTRUCTIONS

To facilitate the collection and analysis of mental health parity data, any questions regarding data collection and mental health parity analysis should be addressed to marketconduct@oci.ga.gov.

When submitting the comparative analyses report, please include the following in the email Subject line: “Comparative Analyses Report,” data year, Company NAIC Code, and Company Name. For example, the Subject line would be: Comparative Analyses Report, 2022, NAIC Code 12345 – ABC Company.

Submission Required	Georgia Code Reference	Due Date	Where to send
Comparative Analyses Report	O.C.G.A. § 33-1-27(b)(4)	January 1st, 2023	GA Office of Commissioner of Insurance marketconduct@oci.ga.gov

The following are suggestions for inclusion in the Comparative Analyses Report and resources available:

- Results of Department of Labor (DOL) Self-Compliance Tool (Refer to resources at: <https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/mental-health-and-substance-use-disorder-parity>);
- Identified Non-Quantitative Treatment Limitations (NQTL’s) (*i.e.*, prior authorizations, reimbursement rates, and exceptions to access to non-network providers);

- Factors considered in developing NQTL's;
- Experience/expertise of people developing NQTL's;
- Sources and evidentiary standards utilized to identify NQTL's;
- Proof of processes and evidentiary standards used in applying the NQTL's are comparable and no more stringently applied to Mental Health and Substance Use Disorder (MH/SUD) and Medical/Surgical benefits as written, and in operation.

If you have any questions, please contact the Office of the Commissioner of Insurance by email at marketconduct@oci.ga.gov.

A handwritten signature in black ink, appearing to read "John F. King". The signature is fluid and cursive, with a large, stylized "K" at the end.

JOHN F. KING
INSURANCE AND SAFETY FIRE COMMISSIONER
STATE OF GEORGIA