



**BULLETIN 23-EX-11**

TO: ALL ENTITIES OFFERING HEALTH BENEFIT PLANS IN GEORGIA

FROM: JOHN F. KING  
INSURANCE AND SAFETY FIRE COMMISSIONER

DATE: NOVEMBER 6, 2023

RE: ANNUAL SUBMISSION OF MENTAL HEALTH PARITY COMPARATIVE  
ANALYSES REPORT

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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 and other information designated by the Commissioner on an annual basis to the Office of the Commissioner of Insurance (OCI).

Insurers that offered coverage for mental health or substance use disorders as part of a health plan issued in or delivered in the State of Georgia are required to submit a Comparative Analysis Report (CAR) to the OCI on or before January 1st. Insurer groups wishing to submit a single CAR for multiple insurance companies may do so as long as each document identifies the applicable company name and NAIC code.

Companies that filed an Attestation for Annual Reporting MHPAEA Analyses for the prior reporting year and received approval from the OCI are not required to submit a CAR, unless coverage issued by the insurer in the State during the current reporting year is now subject to § 33-1-27.

The OCI has contracted with Regulatory Insurance Advisors, LLC (RIA) to facilitate the collection and analysis of mental health parity data.

**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 [GADataCall@riaconsulting.net](mailto:GADataCall@riaconsulting.net).


When submitting the CAR, 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, 2023, NAIC Code 12345 – ABC Company. This analysis is based on 2023 plan year information.

Submission Required	Georgia Code Reference	Due Date	Where to send
Comparative Analyses Report	O.C.G.A. § 33-1- 27(b)(4)	January 1 <sup>st</sup> or last business day prior to deadline	GA Office of Commissioner of Insurance <a href="mailto:GADataCall@riaconsulting.net">GADataCall@riaconsulting.net</a>

The following are required 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. A best practice is to provide the entire PDF of the sources and evidentiary standards, including page numbers and sections.
- 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.
- Complete, clear and unredacted documentation.
- It is unnecessary and inappropriate to put confidential and proprietary information protections or statements on any documentation submitted.

If you have any questions, please contact the Office of the Commissioner of Insurance by email at [GADataCall@riaconsulting.net](mailto:GADataCall@riaconsulting.net).




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