



MEMORANDUM IN OPPOSITION

FOR IMMEDIATE RELEASE: FEBRUARY 10, 2009

Re: S.1646 (Huntley) AN ACT to amend the mental hygiene law, in relation to directing the commissioner of mental health to prepare a report on the effectiveness of mental health parity; to amend chapter 748 of the laws of 2006 amending the insurance law relating to enacting "Timothy's Law", in relation to making the provisions of such chapter permanent; and to amend chapter 502 of the laws of 2007 amending the insurance law relating to certain coverage for mental illness, in relation to the effectiveness thereof.

90 State Street • Suite 825
Albany, NY 12207-1717
518.462.2293
Fax: 518.462.2150
www.nyhpa.org

This legislation, S.1646, would amend New York's mental health parity law ("Timothy's Law") to eliminate its sunset provision and make it permanent, and to require the Commissioner of Mental Health to issue a report on the effectiveness of mental health parity by March 31, 2010. To permanently extend Timothy's Law prior to the original statutory provided report to be issued by the Department of Insurance and the Office of Mental Health is premature at best. Accordingly, the New York Health Plan Association (HPA) opposes S.1646.

Timothy's Law, which became effective only in January of 2007, included a provision requiring the Department of Insurance and the Office of Mental Health to study the effectiveness of mental health parity including an analysis of costs and utilization trends. This study is to encompass two years of experience with the new law and is not scheduled to be issued until April 1, 2009. To consider permanently extending Timothy's Law prior to the issuance of this statutorily required effectiveness study is premature. New York cannot afford during these uncertain fiscal times to permanently extend this law without knowing whether it has been effective at addressing the needs of New Yorkers.

The bill is also duplicative and confusing in that it requires an additional study to be conducted and completed by March 31, 2010. This is a year after the Department of Insurance is to offer its original statutorily required report and well after the law is to be made permanent, raising numerous questions about the purpose of or need for such a study.

For these stated reasons, HPA opposes S.1646 and urges a "no" vote on this legislation.

The New York Health Plan Association represents 25 managed care health plans that provide comprehensive health care services to nearly 7 million New Yorkers.