



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

October 2, 2009

The Honorable Al Franken  
United States Senate  
Washington, DC 20510

Dear Senator Franken:

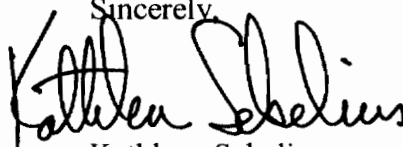
Thank you for your recent letter expressing your concerns regarding the implementation of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA). The MHPAEA legislation is critical to removing barriers to broad coverage for mental health and substance use disorders.

I appreciate and share your commitment to ensuring that the significant protections MHPAEA provides to individuals and their families are implemented in a timely manner. To that end, Department of Health and Human Services (HHS) staff has been working closely with the other agencies with jurisdiction in the legislation (the Department of Labor and the Department of the Treasury) since MHPAEA's enactment to carry out the requisite rulemaking and coordinate implementation efforts.

As your letter noted, the Departments received more than 400 written comments in response to a joint notice published this spring to request information from the public on key issues associated with the legislation. HHS has been carefully evaluating the comments, along with the Department of Labor and the Department of the Treasury, as we concurrently develop the regulations needed to implement the statutory requirements. We are committed to ensuring access to these critical services and it is our goal to issue regulations by January 2010 that will address the key issues raised in your letter and make it easier for health plans and issuers to take crucial steps toward full implementation of the protections of MHPAEA. We would be happy to provide a briefing and to continue to update you on this important matter.

I look forward to our continuing to work together on MHPAEA's implementation. I will also provide this response to the cosigners of your letter.

Sincerely,

  
Kathleen Sebelius