

September 8, 2020

Submitted Via leg.unit@gov.ca.gov



The Honorable Gavin Newsom
Governor, State of California
State Capitol, Suite 1173
Sacramento, CA 95814

Re: SB 855 (Wiener) – Health Coverage of Mental Health and Substance Use Disorders – Request for Signature

Dear Governor Newsom,

Mental Health America of Los Angeles (MHALA) has been and continues to be a staunch supporter of efforts to increase access to treatment for mental health and substance use conditions. SB 855 requires a health care service plan contract or a disability insurance policy issued, amended, or renewed on or after January 1, 2021, to provide coverage for medically necessary treatment of mental health and substance use disorders, including prescription drugs, under the same terms and conditions applied to other medical conditions. It would prohibit a health care service plan or disability insurer from limiting benefits or coverage for mental health and substance use disorders to short-term or acute treatment.

SB 855 is needed because the existing California Parity Act fails to define “medically necessary treatment” which has created confusion and ambiguity in our current health system. Although the courts have interpreted this phrase broadly in their *Harlick v. Blue Shield of California* and *Rea v. Blue Shield of California* decisions, there remains a critical need to establish a definition that adheres to the best clinical standards to ensure individuals are able to obtain the mental health and substance use treatment they need. This has never been more urgent given the current and future negative consequences of the COVID-19 pandemic on the mental health of Californians and the resulting need for treatment.

SB 855 will put in place reasonable reforms to guarantee insured Californians have access to MH/SUD services. This bill also states that if required services are not available, health plans must immediately cover services out-of-network at in-network rates.

We know you share our belief that access to effective mental health and addiction services must be a right for all, not a privilege for the few. We urge you to sign SB 855 to make California a national leader, yet again, in advancing towards this vision.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Costello", is written over a small, faint rectangular stamp.

Chad Costello, CPRP
Vice President, Policy

cc: Angela Hill, Legislative Aide, Office of Senator Wiener