

October 15, 2007

The Honorable John Dingell
The Honorable Joe Barton
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Chairman Dingell and Ranking Member Barton:

We write in joint and strong opposition to H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act of 2007. We urge you to adopt the language of the Senate-passed parity bill, S. 558, the Mental Health Parity Act, in its stead.

We strongly oppose H.R. 1424, principally because of its broad benefit mandate (DSM-IV), its lack of adequate protection for the medical management of benefits, provisions allowing the states to enact more extensive provisions including an alternative remedy structure, and provisions mandating out-of-network coverage.

The substitute amendment adopted during the Health Subcommittee markup on October 10, 2007 has made this legislation significantly worse. Protecting only medical management techniques which "are based on valid medical evidence" establishes a vague standard which is certain to invite litigation. In addition, the substitute amendment explicitly confirms the DSM-IV mandate and applies the mandate to emergency services. Further, the subcommittee substitute amendment failed to eliminate the bill's out-of-network mandate or the authority for states to establish new remedies, both of which remain key concerns for employers and health plans.

The undersigned organizations supported the bipartisan Senate negotiations which resulted in a more balanced compromise proposal. We cannot support and will continue to work to defeat H.R. 1424 as introduced and subsequently amended.

Again, we strongly oppose the House bill, H.R. 1424, and urge its defeat in the full House Energy and Commerce Committee. We urge your support instead for individual or substitute amendments containing the language of the parity bill passed by a unanimous Senate: S. 558, the Mental Health Parity Act.

Sincerely,

National Retail Federation
Aetna
American Benefits Council
U.S. Chamber of Commerce
BlueCross BlueShield Association
National Association of Health Underwriters
National Association of Wholesaler-Distributors
Society for Human Resource Management

The Honorable John Dingell
The Honorable Joe Barton
October 15, 2007
Page 2

National Association of Manufacturers
Retail Industry Leaders Association
National Business Group on Health
National Restaurant Association
Corporate Health Care Coalition

cc: Members, Energy and Commerce Committee