



13-2018

**OFFICE OF THE COUNTY EXECUTIVE  
ALL-EMPLOYEES MEMORANDUM**

**DATE:** October 3, 2018

**NOTICE TO ENROLLEES IN THE EMPLOYEE  
MEDICAL HEALTH PLAN OF SUFFOLK COUNTY  
("EMHP") REGARDING THE MENTAL HEALTH  
PARITY AND ADDICTION EQUITY ACT OF 2008**

Under a Federal law known as the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), Public Law 104-191, as amended, group health plans must generally comply with the requirements listed below. However, the law also permits State and local governmental employers that sponsor health plans to elect to exempt a plan from these requirements for any part of the plan that is "self-funded" by the employer, rather than provided through a health insurance policy. Suffolk County has elected to renew its exemption of the Employee Medical Health Plan of Suffolk County from a portion of the following requirement pertaining to parity in the application of certain limits to mental health and substance use disorder benefits. As a result of this election renewal, **THERE WILL BE NO CHANGE TO YOUR CURRENT MENTAL HEALTH OR SUBSTANCE USE DISORDER BENEFITS.**

**PARITY IN THE APPLICATION OF CERTAIN  
LIMITS TO MENTAL HEALTH BENEFITS**

Group health plans sponsored by State and local governmental employers must generally comply with Federal law requirements in title XXVII of the Public Health Service Act. However, these employers are permitted to elect to exempt a plan from the requirements listed below for any part of the plan that is "self-funded" by the employer, rather than provided through a health insurance policy. The County of Suffolk has elected to exempt the EMHP from the following requirements: Protections against having benefits for mental health and substance use disorders be subject to more restrictions than apply to medical and surgical benefits covered by the plan.

The County of Suffolk has elected to renew its exemption from the requirement that financial requirements and treatment limitations applicable to mental health and substance use disorder benefits are no more restrictive than the predominant financial requirements and treatment limitations applicable to substantially all medical and surgical benefits covered by the plan.

Therefore, neither the current mental health nor substance use disorder benefits provided under the EMHP will change in light of this law.

The exemption from these Federal requirements has been in effect since January 1, 2013, and will continue through December 31, 2020, the duration of the collective bargaining agreement governing the EMHP. The election may be renewed for subsequent plan years.

**HIPAA CERTIFICATE OF CREDITABLE COVERAGE**

HIPAA also requires the Plan to provide covered employees and dependents with a “certificate of creditable coverage” when they cease to be covered under the Plan. There is no exemption from this requirement. The certificate provides evidence that you were covered under this Plan, because if you can establish your prior coverage, you may be entitled to certain rights to reduce or eliminate a preexisting condition exclusion if you join another employer’s health plan, enroll in one of the HMO options offered by the County, or if you wish to purchase an individual health insurance policy. You may contact Employee Benefits at (631) 853-4866 with questions about this certificate.



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**Dennis M. Cohen**  
**Chief Deputy County Executive**

Distribution:  
One copy per employee/retiree