

# CT News Junkie

## Kennedy Offers Parity Pitch

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Christine Stuart photo

Patrick Kennedy is joined by U.S. Rep. Rosa DeLauro and Healthcare Advocate Victoria Veltri

Former U.S. Congressman Patrick Kennedy has his own story to tell about his addiction to prescription drugs paired with bipolar disorder that led him to crash his vehicle into a barrier at the U.S. Capitol in 2006. But it's the stories of Cathy Morelli and Greg Williams that Kennedy believes will help achieve the goal set forth in the Mental Health Parity and Addiction Equality Act of 2008.

“We need to get away from fighting for mental health,” Kennedy said Saturday in a small conference room at the [Clifford Beers Clinic in New Haven](#). “We need to be fighting for equality because all we’re asking for it to be treated the same as other physical health.”

He explained that if cancer was treated the same way as mental health is treated, “we would be waiting until it was stage four cancer before we reimburse for care for mental illness or addiction.”

But that was the old way of treating mental illness. Under the Mental Health Parity and Addiction Equality Act of 2008, which Kennedy helped pass with his father the late-Sen. Ted Kennedy, mental health is supposed to be treated the same way as physical health.

However, like the Civil Rights Act advocates still have a long way to go toward implementation.

“That is really going to be the battle we have over the next few years that we’ll really have to flesh out is: What does equality of coverage means?” Kennedy said.

The federal regulatory process, which the Obama administration has yet to complete, will define the scope of services covered and lawsuits, like the [one filed by the American Psychiatric Association](#) earlier this month, will help further define coverage under the law, he said.

In the meantime, the personal stories like the ones by Morelli and Williams, will help put what U.S. Rep. Rosa DeLauro described as “external pressure” on Congress to move forward with implementation.

“There’s a question a out there about how many families are willing to tell their story of a loved one in these circumstances because we still have to reflect on the stigma of what is out there,” DeLauro said. “The more it is reported, the better off we’re going to be in moving the dial.”

Sitting in a small circle on a sunny Saturday afternoon, Kennedy, DeLauro, U.S. Sen. Richard Blumenthal, and state Sen. Toni Harp listened to the personal stories of Morelli and Williams.

Morelli’s 14 year old daughter suffers from an eating disorder and self-harming behavior, which lead to several trips to the emergency room and several hospital stays. Within six days of her daughter’s first suicide attempt last March her insurer denied her stay in the hospital. The hospital kept her for 12 days and the insurance company continued to deny her coverage, according to Morelli.

Within a day of her daughter’s release she again attempted suicide. She spent the next 14 days in the emergency room because the hospital could not find a psychiatric bed for her in the state. Six hours after being released she again attempted suicide and spent the next eight days in a Connecticut hospital before being transferred to a psychiatric hospital in Vermont. She spent 30 days there while the hospital battled with the insurance company to cover the stay.

In the end the insurance company won and her daughter was sent home, Morelli said. She said the insurance company issued a total of 13 denials of hospital admissions over the course of a year.



Christine Stuart photo

Greg Williams listens as his father recalls the insurance company appeal. Dr. Paul Summergrad incoming president of the APA looks on

Frustrated, Morelli reached out to the Office of the Healthcare Advocate and Department of Children and Families who helped her daughter receive the in-patient care she needed in a facility in Middletown. Morelli reported her daughter has been there for four months and is doing well.

“This is not an individual fight, but a collective fight,” Kennedy said.

He said more people need to find the courage to come forward with their stories and file class action lawsuits against these insurance companies who continue to deny them care.

“It flies in the face of what insurance companies like to do which is to settle with individuals so that their egregious stories never make it to the public light,” Kennedy said. “Because it shaming to them when they’re so overtly discriminatory.”

Greg Williams of Newtown wasn’t going to let his parent’s insurance company get away with its denial of care.

Williams, who at 17 was in a near fatal car accident as a result of his addiction to drugs and alcohol, asked his father while he was in a halfway house if the insurance company picked up the tab. When he learned they hadn’t he asked his father to pursue an appeal.

The insurance company would only authorize five days of treatment while the professional health care provider recommended at least four weeks of intensive in-patient treatment. Williams

eventually got into a long-term treatment plan, but some of his friends weren't as lucky. He said he attended six wakes for friends of his in Newtown where there was a need for mental health or substance abuse treatment long before Dec. 14, 2012, the day a 21 year old gunman entered Sandy Hook Elementary School and killed 26 people.

Williams credited his father for having the stamina to fight the insurance company for four years through internal and external appeals prior to passage of the Mental Health Parity and Addiction Equality Act.

State Healthcare Advocate Victoria Veltri explained that Connecticut recently made strides toward improving the transparency of how insurance companies make these coverage determinations when it passed the gun violence prevention legislation earlier this month.

"In part of the bill that was passed in response to the tragedy is a very robust change to our insurance statutes in Connecticut," Veltri said.

She said it makes state regulated insurance company reporting more thorough and opens up some transparency on how the companies are deciding medically necessary treatment. Those criteria will also have to be posted on the company's web site. She said it also increased the time insurance companies have to deny an appeal from 72 hours to 24 hours.

But the new law doesn't apply to federally regulated health plans or self-insured plans.

Harp, who chaired the mental health subcommittee that helped write the legislation, said a lot of people assumed federal "parity" would solve some of these problems, but they heard over, and over again that the best mental health and substance abuse treatment is delivered by the state's public programs.

"I think for many of our colleagues they were floored that their health insurance absolutely provided awful care," Harp said. "Even the upper class people, who can pay for their services themselves, basically would have to case manage it themselves."

There are 2.4 million residents in Connecticut covered under state plans.

Maria Pepe VanDerLaan of Murtha Cullina, who is the lead attorney in the APA's case against Anthem Health Plans, said she's been fighting on behalf of clients like Morelli and Williams for 22 years. She said about one out of every 10 people who show up at her office with an appeal actually have the emotional and financial wherewithal to challenge the insurance company.

"Insurance companies count on the fact that families and individuals and providers will not fight," VanDerLaan said.

She said the process of securing benefits is a barrier to treatment and she believes any barrier to treatment should be considered a denial of care.

**Tags: [Patrick Kennedy](#), [Maria Pepe VanDerLaan](#), [rosa delauro](#), [Toni Harp](#), [Richard Blumenthal](#), [mental health parity](#), [Victoria Veltri](#)**