

The Workers' Disability Benefits Parity Act

Disability insurance—often purchased directly from an insurer or through an employer—provides financial security to individuals who become unable to work due to illness or disability. These benefits are crucial to the financial well-being of millions of Americans. Yet, disability insurance policies often include discriminatory limitations on coverage that harm people with behavioral health conditions, who lack critical consumer protections under federal law.

Under the *Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act* (MHPAEA), limitations placed on mental health and substance use disorder benefits by health insurers and group health plans must be no more restrictive than the limitations placed on medical and surgical health benefits. This is known as behavioral health parity. However, there is no requirement under federal law for disability insurers and benefit plans to comply with the principle of behavioral health parity.

In December 2023, the expert Advisory Council on Employee Welfare and Pension Benefit Plans (ERISA Advisory Council) published a [groundbreaking report](#) that examined barriers workers face in accessing long-term disability (LTD) benefits. The Council found that many plans exclude or limit LTD coverage for individuals who are eligible due to mental health and substance use disorders — commonly imposing a 24-month cap on benefits— where [no such limitations](#) exist for individuals whose disability is caused by other health conditions.

The Council recommended that the Department of Labor (DOL) take steps to improve LTD coverage and work with Congress to establish a [national behavioral health parity requirement for disability benefits](#).

HELP Subcommittee Ranking Member Mark DeSaulnier's *Workers' Disability Benefits Parity Act* builds upon the recommendations of the ERISA Advisory Council by establishing behavioral health parity for disability benefits. Specifically, the bill:

- Amends the *Employee Retirement Income Security Act* (ERISA) to require that private sector disability benefit plans comply with behavioral health parity.
- Establishes behavioral health parity for disability insurance and for employee benefit plans sponsored by state and local governments.
- Requires the DOL to implement other recommendations of the ERISA Advisory Council.
- Authorizes funding for the Department of Labor to implement these requirements.