



**DOOR COUNTY**

**Resolution No. 2009-77**

**MENTAL HEALTH PARITY AND ADDICTION EQUITY  
ACT OF 2008 (MHPAEA) OPT-OUT**

**TO THE DOOR COUNTY BOARD OF SUPERVISORS:**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BEMMANN	X		
BOGENSCHUTZ	X		
BRANN	X		
DeBAKER	X		
DeWITT	X		
FISHER	X		
FONTAINE	X		
GUNNLAUGSSON	X		
HAINES	X		
LIEBE	X		
MEYER	X		
MOELLER	X		
MULLIKEN	X		
NEINAS	X		
OLSON	X		
RUNQUIST	X		
SAVARD	X		
SCHULTZ	X		
VIRLEE	X		
ZIPPERER	X		
	21	0	0

**BOARD ACTION**

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Bogenschutz Defeated

2nd De Baker

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: 10-21-09

\_\_\_\_\_, Administrator

**FISCAL IMPACT: No direct fiscal implication with the adoption of this resolution. An opt-out from the MHPAE act of 2008. sms**

**Certification:**

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of October, 2009 by the Door County Board of Supervisors.

[Signature]  
Jill M. Lau  
County Clerk, Door County

1 **WHEREAS**, The Federal Mental Health Parity Act of 1996 (MHPA) took effect  
2 on January 1, 1998. Under the MHPA, group health plans offering mental health  
3 benefits are not allowed to impose aggregate annual or lifetime dollar limits on  
4 mental health benefits that are lower than any such dollar limits placed on  
5 substantially all medical and surgical benefits; and

6  
7 **WHEREAS**, On October 3, 2008, the Mental Health Parity and Addiction Equity  
8 Act of 2008 (MHPAEA) was signed in to law as part of the Emergency Economic  
9 Stabilization Act of 2008. Generally, the MHPAEA requires group health plans that  
10 provide coverage for both physical and mental illnesses to do so without imposing  
11 financial requirements and treatment limitations on mental health and substance use  
12 disorder benefits that are more restrictive than those imposed on medical and  
13 surgical benefits. Changes made by MHPAEA are generally effective for plan years  
14 beginning after October 3, 2009; and

15  
16 **WHEREAS**, A nonfederal government employer that provides self-funded group  
17 health plan coverage to its employees (coverage that is not provided through an  
18 insurer) may elect to exempt its plan (opt-out) from the requirements of MHPA and  
19 MHPAEA in such form and manner as the regulations may prescribe; and

20  
21 **WHEREAS**, Opting out of the MHPA and MHPAE is deemed to be in the  
22 interest of the County of Door ("County").

23  
24 **NOW, THEREFORE, BE IT RESOLVED** That the County hereby makes an  
25 election to exempt its group health plan (opt-out) from the requirements of MHPA  
26 and MHPAEA.

27  
28 **BE IT FURTHER RESOLVED** That the foregoing election will apply for the plan  
29 year beginning on January 1, 2010, and continuing through December 31, 2010.

30  
31 **BE IT FURTHER RESOLVED** That this election may be extended through  
32 subsequent elections by the County's Administrative Committee.

33  
34 **BE IT FURTHER RESOLVED**, That notice shall be provided to enrollees (on an  
35 annual basis and at the time of enrollment under the plan) of: 1) the fact and  
36 consequences of such election; and 2) certification and disclosure of creditable  
37 coverage under the plan with respect to enrollees.

38  
39 **BE IT FURTHER RESOLVED** That the annual notice to plan enrollees generally  
40 must be disseminated before the plan year begins for a plan's initial exemption  
41 election and, in the case of an exemption election renewal during the immediately  
42 preceding plan year.

43  
44 **BE IT FURTHER RESOLVED** That a copy of the enrollee notice should be  
45 attached to the initial exemption election (opt-out notification) letter that is submitted  
46 to the U.S. Dept of Health & Human Services – Centers for Medicare and Medicaid  
47 Services.

**SUBMITTED BY:**  
**Administrative Committee**

[Signature] Leo Zipperer, Chair  
[Signature] John Neinas  
[Signature] Daniel Austad  
[Signature] Merrell Runquist  
[Signature] Kenneth Fisher