



MEMORANDUM IN OPPOSITION

A.5396 by Member of Assembly Morelle

An Act to amend chapter 748 of the laws of 2006 enacting Timothy's law, in relation to extending the provisions of such law

The Coalition of Behavioral Health Agencies **opposes** this bill as it fails to make Timothy's Law, New York State's landmark mental health parity law, permanent. Timothy's Law assures insurance coverage for millions of New Yorkers with mental illness. By only extending the law for one year, the bill does not end the practice of marginalizing the needs of New Yorker's who seek care for their mental illness. Instead, the Assembly should take measures to eliminate the law's sunset date altogether, rather than just substituting it with another one.

Besides being a law that regulates insurance practices in New York State, Timothy's Law also prevents discrimination. It prohibits health insurance contracts from setting higher deductibles or more restrictive limits for diagnosis and treatment of mental illness than physical illness. Such statutes are basic affirmations of social and government policy that acknowledge inequities in our system and offer procedures to address them, and should therefore be made permanent.

In addition to our opposition of this bill, we would also like to note that proposals to make Timothy's Law permanent are pending in both houses of the Legislature (A.5659 by M.A. Peter Rivera and S.1646 by Sen. Shirley Huntley). We would also like to acknowledge that since the adoption of Timothy's Law, the federal government has passed parity legislation of its own, which would complement Timothy's Law.

We urge that A.5396 be rejected and that the Legislature enact policies that will remove the sunset date from Timothy's Law altogether.