

Patient Bill of Rights: Mental Health Insurance



Guide to insurance for mental health care.

Mental Health Parity

State and federal laws require insurance companies to offer similar benefits for mental health and physical health, a concept known as parity. With few exceptions, insurance plans should make it just as easy to get mental health care as physical health care.

Laws that protect your right to mental health care:

- [The Affordable Care Act](#) (federal law)
- [California's Mental Health Parity Act](#)
- [California Senate Bill SB855](#) (2020)

Health plans must ensure that requirements, such as copayments, deductibles, treatment limitations, number and frequency of visits, applied to mental health or substance use disorder benefits are not more restrictive than requirements applied to most of the medical and surgical benefits.
(DMHC)

Access to Care

You also have rights related to access to care — there are laws your insurance company must follow. If you're having trouble getting adequate care in a timely manner, here are some of your rights to know about:

- You have the right to schedule a mental health appointment with a provider who accepts your insurance within 10 days
- You have the right to receive a plain language summary of your mental health benefits
- You have the right to request a provider (or translator) who speaks your native language
- Insurance companies must provide written information in your native language
- Insurance companies must pay or respond to your health claims within 30 days (45 days for an HMO plan)

A Note About Inpatient Care

If you are receiving voluntary or involuntary inpatient mental health care, like in a hospital, you have additional rights under the [Lanterman-Petris-Short \(LPS\) Act](#). For more on your rights, see the Department of Health Care Services' patient handbook.

[DHCS Patient Handbook](#)

www.dhcs.ca.gov/services/Documents/DHCS_Handbook_English.pdf

Where you can learn more about your rights

You can learn more about your health care rights and your rights to mental health treatment on the Department of Managed Health Care's website.

DMHC.CA.gov