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February 9, 2009

RE: AN ACT to amend the mental hygiene law, in relation to directing the commissioner of mental health to prepare a report on the effectiveness of mental health parity; to amend ch. 748 of the laws of 2006 amending the insurance law relating to enacting "Timothy's law", in relation to making the provisions of such chapter permanent; and to amend ch. 502 of the laws of 2007 amending the insurance law relating to certain coverage for mental illness, in relation to the effectiveness thereof.

S. 1646 (Huntley)

**MEMORANDUM IN OPPOSITION**

Submitted on behalf of the Blue Cross and Blue Shield Plans

The New York State Conference of Blue Cross and Blue Shield Plans strongly oppose enactment of this legislation which would make Timothy's Law permanent and impose duplicative reporting requirements on the Office of Mental Health.

Timothy's Law became effective on January 1, 2007 and is set to expire on December 31, 2009. In the interim, the State Insurance Department (SID) is obligated to consult with the Office of Mental Health (OMH) to conduct a study examining the effectiveness of mental health parity and report to the Governor and Legislature by April 1, 2009. This bill requires OMH to consult with SID to produce a duplicative report, which is an unnecessary and wasteful use of the State's limited resources.

More importantly, this bill would make Timothy's Law permanent. In light of the pending report from SID and OMH, as well as recent changes to mental health parity on the Federal level, this action is premature. In addition to studying the effectiveness of mental health parity, the forthcoming report is to provide comprehensive cost analyses and include legislative

recommendations based on the study's findings. This information, combined with analysis of the impact of federal changes, should frame a deliberative approach to continuing the policy goals of Timothy's Law in New York instead of simply making current law permanent, as proposed by this bill.

For these reasons, the Blue Cross and Blue Shield Plans respectfully oppose enactment of this bill.

Respectfully submitted,

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