



**DOMESTIC AND FOREIGN INSURERS BULLETIN NO. 109**

**TO: INSURANCE CARRIERS WHO ISSUE HEALTH BENEFIT PLANS IN DELAWARE**

**RE: IMPLEMENTATION OF REGULATION 1410 - REPORTING MEDICAL MANAGEMENT PROTOCOLS FOR INSURANCE COVERAGE FOR SERIOUS MENTAL ILLNESS AND DRUG AND ALCOHOL DEPENDENCY**

**DATED: June 19, 2019**

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The purpose of this Bulletin is to advise insurance carriers of new Regulation 1410, Reporting Medical Management Protocols for Insurance Coverage for Serious Mental Illness and Drug and Alcohol Dependency. This regulation became effective June 11, 2019. It requires insurance carriers to submit a mental health parity report to the Delaware Health Information Network (DHIN) and to the Delaware Department of Insurance (the Department) concerning health benefit plans issued in Delaware. *See 18 DE Admin. Code § 1410-5.00* for definitions of “insurance carrier” and “health benefit plan.”

**Reporting Content and Format** (*see 18 DE Admin. Code § 1410-5.0*)

- ✓ The submission form and a guidance document concerning that part of the report that concerns non-quantifiable treatment limitations (NQTLs) are attached to this Bulletin.
- ✓ A separate report is required for each health benefit plan offered by the insurance carrier.
- ✓ Any information submitted to the DHIN and the Department by a carrier that is considered proprietary by the carrier shall not be made public record. *See 18 Del. C. § 3343(g) and 3571T(a).*
- ✓ One copy of each report is to be submitted to each of the following addresses:

Delaware Health Information Network  
Attn.: Mental Health Parity Report  
107 Wolf Creek Blvd. #2  
Dover, DE 19901

Delaware Department of Insurance via  
email at: [consumer@delaware.gov](mailto:consumer@delaware.gov)  
Include in the subject line “**Attn.: Mental Health Parity Report**”

*NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed.*

**Report submission deadlines/deadline extension requests (see 18 DE Admin. Code § 1410-6.0)**

- ✓ The first report is due on or before July 1, 2019.
- ✓ An insurance carrier may request an extension of the deadline for submission of the initial report by emailing the Department at [consumer@delaware.gov](mailto:consumer@delaware.gov), with “**Attn.: Mental Health Parity Report EXTENSION REQUEST**” in the subject line.
- ✓ An extension must be affirmatively requested by the insurance carrier.
- ✓ Annual reports are not required.
- ✓ Amended reports are required. An amended report must be sent 30 calendar days after the close of any year during which the carrier made significant changes to how it designs and applies its medical management protocols, and for each plan in which those protocols were changed.

Please direct questions to [consumer@delaware.gov](mailto:consumer@delaware.gov). Include **Attn: Mental Health Parity Report** in the subject line.

This Bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation or bulletin.



Trinidad Navarro  
Delaware Insurance Commissioner