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January 8, 2009

The Honorable Barack Obama
Presidential Transition Team
Washington, DC 20270

Dear President-Elect Obama:

I am writing to you on behalf of the American Psychiatric Association (APA), the medical specialty representing more than 38,000 psychiatric physicians nationwide, to alert you that APA has written to the Departments of Labor, Health and Human Services, and Treasury to urge them work together swiftly to issue guidance for employers covered by the recently enacted Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (Sections 511 and 512 of PL 110-343, October 3, 2008).

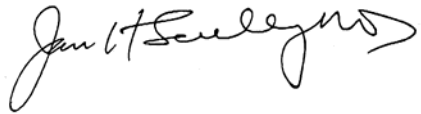
As you know, the new parity law is effective in calendar year 2010 (with exceptions for collectively bargained plans) and directs that final regulations are to be issued within a year (i.e. by October 2009). We anticipate that all three agencies will be working together to issue the draft implementing regulations promptly and that this process will be relatively straightforward. Since, however, some employers are asserting that they may require substantial lead time to negotiate plan coverage with their insurers, we are concerned that even a modest delay in the issuing of a Notice of Proposed Rulemaking may make it difficult for employers to clearly understand their obligations under the law, and accordingly to negotiate broad appropriate coverage for their employees. Therefore, we have urged these agencies promptly to issue clear guidelines to facilitate employer compliance with the new law. This type of educational effort would greatly allay the concerns of the business community and ease compliance with the new law.

We would appreciate any support you could provide to facilitate the drafting of this guidance and we look forward to working with you on these important issues in the future. We have also enclosed a copy the letter submitted to the Departments of Labor, Health and Human



Services, and Treasury. If you have any further questions, please contact Jennifer Tassler, JD, Deputy Director, Regulatory Affairs, at jtassler@psych.org or at (703) 907-7842.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Scully Jr.", with a stylized flourish at the end.

James H. Scully Jr., M.D.
Medical Director and C.E.O., American Psychiatric Association

Encl.