

# PUBLIC SUBMISSION

As of: May 28, 2009 Tracking No. 809b124b Comments Due: May 28, 2009
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**Docket:** IRS-2009-0008

Request for Information for Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008

**Comment On:** IRS-2009-0008-0001

Request for Information Regarding the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008

**Document:** IRS-2009-0008-0052

Comment on FR Doc # E9-09629

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## General Comment

Comments re: Regulatory Guidance USCG-2007-27022  
page 19157, II B specific areas 1 and 4

I am a clinical counselor who provides EEG biofeedback treatment to people with Attention Deficit Hyperactivity Disorder and Mood Disorders. EEG biofeedback, also known as Neurofeedback, is an empirically validated and widely recognized effective non-medication treatment for ADHD, and many other conditions. There are over 50 studies evaluating the effectiveness of EEG biofeedback in the treatment of ADHD, Substance Abuse, and Autism. A recent review of the literature concluded that EEG biofeedback meets the same criteria as medication for treating ADHD and "should always be considered as an intervention for this disorder by the clinician".

This important treatment has been denied by Georgia Medicaid, Aetna, United Behavioral Health, Blue Cross, Digna, and Amerigroup. This is a mimitation of an effective and validated treatment for a mental health problem. The reasons given point to the fact that the insurance companies are using evidence-based criteria that are far more restrictive for mental health services than the criteria used for medical/surgical services.

Neurofeedback clinicians believe that the parity regulations, based on legal reviews of the parity statute should require that employers and plans pay for the same range and scope of services for behavioral treatments as they do for medical/surgical benefits and that a plan cannot be more restrictive in their

managed care criteria and reviews for mental health and substance abuse disorders as compared to medical/surgical disorders. We hope that the regulations will clarify that this violation of the parity statute will not continue so that people have access to the treatments that will help them the most.