

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
Center for Consumer Information and Insurance Oversight  
200 Independence Avenue SW  
Washington, DC 20201



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December 3, 2021

Arizona Metropolitan Trust - Arizona

Crystal Dyches, Chairperson, Arizona Metropolitan Trust  
[cdyches@elmirageaz.gov](mailto:cdyches@elmirageaz.gov)

Jaime L. Schulenberg, Account Executive  
[jaimes@ecollinsandassociates.com](mailto:jaimes@ecollinsandassociates.com)  
Tel: 928-931-2297

Re: Final Determination Letter – Mental Health Parity and Addiction Equity Act (MHPAEA)  
Non-Quantitative Treatment Limitation (NQTL) Comparative Analysis Review – Prior  
authorization treatment limitations for inpatient, in-network services

Dear Ms. Schulenberg and Ms. Dyches:

On behalf of the Centers for Medicare & Medicaid Services (CMS), this notice is being sent to advise you that a review of the Corrective Action Plan (CAP) and additional comparative analysis submitted to address the instances of non-compliance noted in the MHPAEA NQTL Analysis Review (Review) is complete. The purpose of the Review was to assess Arizona Metropolitan Trust's (the Plan Sponsor) compliance with the following requirements under Title XXVII of the Public Health Services Act (PHS Act) and its implementing regulations for the specific NQTL comparative analysis reviewed:

42 U.S.C. § 300gg-26, 45 C.F.R. § 146.136 and 45 C.F.R. § 147.160 - Parity In Mental Health And Substance Use Disorder Benefits: The Review covered the 2021 plan year for prior authorization treatment limitations for inpatient, in-network services.

CMS conducted this Review pursuant to PHS Act § 2726(a)(8)(A) and (B), as added by Section 203 of Title II of Division BB of the Consolidated Appropriations Act, 2021.<sup>1</sup> CMS contracted with Examination Resources, LLC to conduct the Review in conjunction with CMS.

On September 8, 2021, CMS provided an initial determination letter of non-compliance to the Plan Sponsor and requested a CAP and additional comparative analysis to demonstrate compliance. The CAP and the additional comparative analysis submitted by the Plan Sponsor

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<sup>1</sup> Pub. L. 116-260 (Dec. 27, 2020).

adequately addressed the instances of non-compliance previously identified during this specific Review.

CMS's findings detailed in this letter pertain only to the NQTL under review and do not bind CMS (or any other government agency or entity) in any subsequent or further review of other plan provisions or their application for compliance with governing law, including MHPAEA. If additional information is provided to CMS regarding this NQTL or plan, CMS reserves the right to conduct an additional review for compliance with MHPAEA or other applicable PHS Act requirements.<sup>2</sup>

CMS will include a summary of the comparative analysis and the results of this Review in its annual report to Congress pursuant to PHS Act § 2726(a)(8)(B)(iv).

Sincerely,

Mary Nugent  
Director, Compliance and Enforcement Division  
Oversight Group  
Center for Consumer Information and Insurance Oversight  
Centers for Medicare & Medicaid Services

cc: Arizona Department of Insurance

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<sup>2</sup> See PHS Act § 2726(a)(8)(B)(i). Also see 45 C.F.R. § 150.303.