

Department of Health

Reasoned Response to Private Member's Bill: Mental Health Parity Bill 2017, sponsored by James Browne TD

19 November 2019

Background

The Minister for Health and the Minister of State for Mental Health and Older People are unable to recommend to Government that a money message issues in respect of the above Bill. The Bill is very short, with one substantive section, the only other section being a commencement provision:

1. Acknowledging that mental health is on a parity with physical health the Minister for Health shall continue the promotion of a comprehensive health service designed to secure improvements:

- (a) in physical and mental health, and*
- (b) in the prevention, diagnosis and treatment of physical and mental illness.*

Reasons to refuse money message

The Minister is unable to recommend to Government that it issue a money message in respect of this proposed legislation for the reasons detailed below:

Financial Consequences

1. The provisions of the Bill are so general that it is difficult to accurately or fully establish what the financial implications would be, but there is significant risk of considerable financial implications.
2. The second stage debate on the Bill in Dáil Éireann raised a number of matters, which have the potential to expose the state to very significant financial risk. None of these matters is readily costable, not least because the Bill is silent on what achievement of these aims would look like. The financial risk extends both to the costs of service provision on such a scale, as well as potential legal challenges where this level of service cannot be provided:
 - equality of access to care and treatment;
 - equality of levels of choice of care and treatment;
 - allocation of time, effort and resources on a basis commensurate with need;
 - children being placed in adult units; and
 - concerns over the reduction in CAMHS referrals.
3. Scrutiny on this Bill has been waived, and the Department of the Health therefore does not have the benefit of a Committee Scrutiny Report to help establish the precise intention and implications of the Bill.