

1 Senator Grant of the 25th offered the following amendment:

2 *Amend the Senate Insurance Committee substitute to SB 161 by inserting after "definitions;"*
 3 *on line 3 the following:*

4 to provide for an effective date;

5 *By adding at the end of line 24 the following:*

6 Accident and sickness contract, policy, or benefit plan shall not include any health plan
 7 provided pursuant to Chapter 29 of this title.

8 *By striking lines 25 through line 74 and inserting in lieu thereof the following:*

9 (2) 'Autism spectrum disorder' means a developmental, neurological medical disorder;
 10 usually appearing in the first three years of life, which affects normal brain functions and
 11 is manifested by compulsive, ritualistic behavior and severely impaired social interaction
 12 and communication skills and shall include and be limited to one of the three following
 13 disorders:

14 (A) Asperger's syndrome;

15 (B) Autistic disorder; or

16 (C) Pervasive developmental disorder — not otherwise specified.

17 (3) 'Behavioral therapy' means discrete trial training, pivotal response training, verbal
 18 behavior intervention, and early intensive behavioral intervention.

19 (4) 'Treatment plan' means an individualized, written document based on a
 20 comprehensive evaluation made pursuant to the recommendation of the American
 21 Academy of Pediatrics.

22 *By striking lines 82 through 107 and inserting in lieu thereof the following:*

23 ~~other diagnosed neurological disorder.~~ Any accident and sickness contract, policy, or
 24 benefit plan shall provide coverage for the treatment of an autism spectrum disorder.
 25 Coverage provided under this Code section shall be limited to treatment that is prescribed
 26 by an insured's treating physician, as defined in paragraph (2.1) of Code Section 43-34-20,
 27 in accordance with a treatment plan. Coverage shall be provided for behavioral therapy,
 28 speech therapy, occupational therapy, and physical therapy when such therapies are
 29 prescribed in accordance with the treatment plan. No insurer shall deny or refuse to issue
 30 coverage on, refuse to contract with, refuse to renew or refuse to reissue, or otherwise

31 terminate or restrict coverage on an individual solely because the individual is diagnosed
 32 with an autism spectrum disorder.

33 (c) The coverage required pursuant to subsection (b) of this Code section shall not be
 34 subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an
 35 insured than the dollar limits, deductibles, or coinsurance provisions that apply to medical
 36 benefits generally under an accident and sickness contract, policy, or benefit plan, except
 37 as otherwise provided for in subsection (e) of this Code section; provided, however, that
 38 the coverage required pursuant to subsection (b) of this Code section may be subject to
 39 other general exclusions and limitations of the accident and sickness contract, policy, or
 40 benefit plan, including, but not limited to, coordination of benefits, participating provider
 41 requirements, restrictions on services provided by family or household members, utilization
 42 review of health care services including review of medical necessity, case management,
 43 and other managed care provisions. For purposes of this Code section, behavioral therapy
 44 shall be considered to be a medical benefit as opposed to a mental health benefit. Any
 45 entity subject to this Code section is not required to provide reimbursement for any services
 46 under early intervention, state, or school programs, including but not limited to an
 47 individualized family service plan, an individualized education program, or an
 48 individualized service plan.

49 (d) The treatment plan required pursuant to subsection (b) of this Code section shall
 50 include all elements necessary for appropriate claims payment.

51 *By striking lines 108 through 125 and inserting in lieu thereof the following:*

52 (e) Coverage for behavioral therapy under this Code section may be subject to a maximum
 53 benefit of \$36,000.00 per year and a maximum benefit of \$200,000.00.

54 (f) To be eligible for benefits and coverages under this Code section, an individual shall
 55 be diagnosed with autistic spectrum disorder at age eight or younger. The benefits and
 56 coverage provided pursuant to this Code section shall be provided to any eligible person
 57 under 16 years of age.

58 *By striking "(i)" from line 126 and "25" from line 127 and inserting in lieu thereof "(g)" and*
 59 *"50", respectively.*

60 *By inserting between lines 128 and 129 the following:*

61 This Act shall be effective for policies issued on or renewed after January 1, 2010.

62

SECTION 4.