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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO INSURANCE - AUTISM SPECTRUM DISORDERS

Introduced By: Representatives Palumbo, Morrison, Corvese, Naughton, and E Coderre

Date Introduced: January 18, 2012

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 27-20.11-1, 27-20.11-3 and 27-20.11-7 of the General Laws in
2 Chapter 27-20.11 entitled "Autism Spectrum Disorders" are hereby amended to read as follows:

3 **27-20.11-1. Mandatory coverage for Autism spectrum disorders.** -- (a) Every group
4 health insurance contract, or every group hospital or medical expense insurance policy, plan, or
5 group policy delivered, issued for delivery, or renewed in this state, by any health insurance
6 carrier, on or after January 1, 2012, shall provide coverage for autism spectrum disorders;
7 provided, however, the provisions of this chapter shall not apply to contracts, plans or group
8 policies subject to the Small Employer Health Insurance Availability Act, chapter 50 of this title,
9 [Medical Assistance, chapter 40-8](#), or subject to the Individual Health Insurance Coverage Act,
10 chapter 18.5 of this title.

11 **27-20.11-3. Scope of coverage.** -- (a) Benefits under this section shall include coverage
12 for [pharmaceuticals](#), applied behavior analysis, physical therapy, speech therapy, [psychology](#),
13 [psychiatric](#) and occupational therapy services for the treatment of Autism spectrum disorders, as
14 defined in the most recent edition of the DSM. Provided, however:

15 (1) Coverage for physical therapy, speech therapy and occupational therapy [and](#)
16 [psychology, psychiatry and pharmaceutical](#) services shall be, to the extent such services are a
17 covered benefit for other diseases and conditions under such policy; and

18 (2) Applied behavior analysis shall be limited to thirty-two thousand dollars (\$32,000)
19 per person per year.

1 (b) Benefits under this section shall continue until the covered individual reaches age
2 fifteen (15).

3 (c) The health care benefits outlined in this chapter apply only to services delivered
4 within the State of Rhode Island; provided, that all health insurance carriers shall be required to
5 provide coverage for those benefits mandated by this chapter outside of the State of Rhode Island
6 where it can be established through a pre-authorization process that the required services are not
7 available in the State of Rhode Island from a provider in the health insurance carrier's network.

8 ~~27-20.11-7. Credentialing and contracting practices. Credentials.~~ -- (a) Any
9 individual providing or supervising applied behavior analysis treatment under this section shall
10 be:

11 (1) Individually licensed by the department of health as a ~~healthcare provider/clinician~~
12 ~~pursuant to chapter 42-35 or 42-35-1 et al. and nationally certified as a Board Certified Behavior~~
13 ~~Analyst (BCBA); and credentialed by the insurer;~~ licensed applied behavior analyst; or a licensed
14 applied behavior assistant analyst acting under supervision; or

15 (2) ~~Individually nationally certified as a Board Certified Assistant Behavior Analyst~~
16 ~~(BCaBA) supervised by a Board Certified Behavior Analyst who is licensed~~ Licensed by the
17 department of health as a psychologist; with equivalent experience or a psychologist practicing
18 ~~social worker or therapist; and credentialed by the insurer.~~ within their scope of practice.

19 (b) Nothing in this chapter shall be construed to require a change in the credentialing or
20 contracting practices of health insurers for mental health or substance abuse providers.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE - AUTISM SPECTRUM DISORDERS

1 This act would mandate that insurance for Autism spectrum disorders include coverage
2 for pharmaceuticals and for psychological and psychiatric services. This act would also require
3 individuals providing behavior analysis treatment be licensed by the department of health.

4 This act would take effect upon passage.

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