AN ACT 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:

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

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

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

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

(2) Applied behavior analysis shall be limited to thirty-two thousand dollars ($32,000) per person per year.
(b) Benefits under this section shall continue until the covered individual reaches age fifteen (15).

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

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

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

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

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

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