



General Assembly

January Session, 2009

**Committee Bill No. 301**

LCO No. 4708

\*04708SB00301INS\*

Referred to Committee on Insurance and Real Estate

Introduced by:  
(INS)

***AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR  
AUTISM SPECTRUM DISORDERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-514b of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective January 1, 2010*):

3 (a) As used in this section:

4 (1) "Applied behavior analysis" means the design, implementation  
5 and evaluation of environmental modifications, using behavioral  
6 stimuli and consequences, including the use of direct observation,  
7 measurement and functional analysis of the relationship between  
8 environment and behavior, to produce socially significant  
9 improvement in human behavior.

10 (2) "Autism services provider" means any person, entity or group  
11 that provides treatment for autism spectrum disorders.

12 (3) "Behavioral therapy" means interactive therapies derived from  
13 evidence-based research that are provided to children less than  
14 thirteen years of age, including, but not limited to, applied behavior

15 analysis that is provided or supervised by a behavior analyst who is  
16 certified by the Behavior Analyst Certification Board.

17 (4) "Diagnosis" means the medically necessary assessment,  
18 evaluation or testing performed by a licensed physician, licensed  
19 psychologist or licensed clinical social worker to determine if an  
20 individual has an autism spectrum disorder.

21 (b) Each group health insurance policy providing coverage of the  
22 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-  
23 469 that is delivered, issued for delivery, renewed, amended or  
24 continued in this state [on or after January 1, 2009,] shall provide  
25 coverage for [physical therapy, speech therapy and occupational  
26 therapy services for] the diagnosis and treatment of autism spectrum  
27 disorders, as set forth in the most recent edition of the American  
28 Psychiatric Association's "Diagnostic and Statistical Manual of Mental  
29 Disorders". [ , to the extent such services are a covered benefit for other  
30 diseases and conditions under such policy.]

31 (c) Such policy shall provide coverage for the following, provided  
32 such treatments are medically necessary and are prescribed or ordered  
33 by a licensed physician, licensed psychologist or licensed clinical social  
34 worker for an insured who is diagnosed with an autism spectrum  
35 disorder, in accordance with a treatment plan developed by a licensed  
36 physician, licensed psychologist or licensed clinical social worker in a  
37 manner consistent with the most recent report or recommendations of  
38 the American Academy of Pediatrics, the American Academy of Child  
39 and Adolescent Psychiatry or the American Psychological Association:

40 (1) Behavioral therapy;

41 (2) Medically necessary medications prescribed by a licensed  
42 physician;

43 (3) Direct psychiatric or consultative services provided by a  
44 psychiatrist licensed in the state in which such psychiatrist practices;

45 (4) Direct psychological or consultative services provided by a  
46 psychologist licensed in the state in which such psychologist practices;  
47 and

48 (5) Physical therapy, speech therapy and occupational therapy  
49 services provided by a medical professional licensed or certified to  
50 provide such services.

51 (d) Such policy may limit the coverage for behavioral therapy to a  
52 yearly benefit of fifty thousand dollars for a child who is less than nine  
53 years of age and thirty-five thousand dollars for a child who is at least  
54 nine years of age and less than thirteen years of age.

55 (e) Such policy shall not:

56 (1) Be cancelled or refused to be (A) delivered, (B) issued for  
57 delivery, (C) renewed, (D) amended, or (E) continued to an individual  
58 solely because such individual has been diagnosed with or has  
59 received treatment for an autism spectrum disorder; or

60 (2) Impose (A) any limits on the number of medically necessary  
61 visits an insured may make to an autism services provider pursuant to  
62 a treatment plan, or (B) a coinsurance, copayment, deductible or other  
63 out-of-pocket expense for such coverage that is more restrictive than  
64 that imposed on substantially all other benefits provided under such  
65 policy, except that a high deductible health plan, as that term is used in  
66 subsection (f) of section 38a-520, shall not be subject to the deductible  
67 limit set forth in this subdivision.

68 (f) (1) Except for treatments and services received by an insured in  
69 an inpatient setting, an insurer, health care center, hospital service  
70 corporation, medical service corporation or fraternal benefit society  
71 may review a treatment plan developed as set forth in subsection (c) of  
72 this section for such insured, in accordance with its utilization review  
73 requirements, not more than once every six months unless such  
74 insured's licensed physician, licensed psychologist or licensed clinical

75 social worker agrees that a more frequent review is necessary. The cost  
76 of such review shall be borne by the entity requesting such review.

77 (2) For the purposes of this section, the results of a diagnosis shall be  
78 valid for a period of not less than twelve months, unless a licensed  
79 physician, licensed psychologist or licensed clinical social worker  
80 determines a shorter period is appropriate.

81 (g) Nothing in this section shall be construed to limit or affect (1)  
82 any other covered benefits available to an insured under (A) such  
83 group health insurance policy, (B) pursuant to section 38a-514, or (C)  
84 pursuant to section 38a-516a, or (2) any obligation to provide services  
85 to an individual under an individualized education program pursuant  
86 to section 10-76d.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2010	38a-514b

**Statement of Purpose:**

To expand group health insurance coverage for the diagnosis and treatment of autism spectrum disorders.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

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