

2012 -- S 2076

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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: Senators E O'Neill, Cote, Bates, Maher, and Sosnowski

Date Introduced: January 18, 2012

Referred To: Senate Health & Human Services

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: (1) Coverage for physical
15 therapy, speech therapy and occupational therapy [and psychology, psychiatry and pharmaceutical](#)
16 services shall be to the extent such services are a covered benefit for other diseases and conditions
17 under such policy; and (2) Applied behavior analysis shall be limited to thirty-two thousand
18 dollars (\$32,000) per person per year.

19 (b) Benefits under this section shall continue until the covered individual reaches age

1 fifteen (15).

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

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

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

13 (2) Individually ~~nationally certified as a Board-Certified Assistant Behavior Analyst~~
14 ~~(BCaBA) supervised by a Board-Certified Behavior Analyst who is~~ licensed by the department of
15 health as a psychologist, ~~social worker or therapist; and credentialed by the insurer~~ with relevant
16 experience credentialed by the insurer.

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would include coverage for psychology, psychiatry and pharmaceutical services.
- 2 This act would take effect upon passage.

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