

ASSEMBLY BILL NO. 6—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON HEALTH CARE)

PREFILED DECEMBER 19, 2014

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to autism spectrum disorders. (BDR 54-67)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to autism spectrum disorders; removing certification of autism behavior interventionists by the Board of Psychological Examiners; requiring an autism behavior interventionist to be registered by a certain national board; revising the cap on the amount of required insurance coverage for certain treatment; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law provides for the certification of autism behavior interventionists
- 2 by the Board of Psychological Examiners. (NRS 641.0204, 641.172) **Sections 1-11**
- 3 **and 25** of this bill remove this certification and instead require an autism behavior
- 4 interventionist to be registered as a Registered Behavior Technician or an
- 5 equivalent credential by the Behavior Analyst Certification Board, Inc.
- 6 Existing law requires certain insurers to provide coverage of screening for and
- 7 diagnosis of autism spectrum disorders and of treatment for autism spectrum
- 8 disorders for certain persons who are covered by a policy of insurance and requires
- 9 certain other insurers to provide an option for such coverage. Such required
- 10 coverage may include behavioral therapy provided by a certified behavior
- 11 interventionist who is properly supervised. (NRS 287.0276, 689A.0435,
- 12 689B.0335, 689C.1655, 695C.1717, 695G.1645) **Sections 12, 14, 16, 18, 20 and**
- 13 **22** of this bill replace the requirement that such therapy be provided by an autism
- 14 behavior interventionist certified by the Board as a condition to required coverage
- 15 and the required option for coverage with a requirement that such therapy be
- 16 provided by an autism behavior interventionist registered as a Registered Behavior
- 17 Technician or an equivalent credential by the Behavior Analyst Certification Board,



18 Inc., as a condition to such requirements. Beginning on January 1, 2017, **sections**
19 **13, 15, 17, 19, 21, 23 and 26** of this bill increase the \$36,000 cap on such coverage
20 to the actuarial equivalent of \$72,000.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 641.0204 is hereby amended to read as
2 follows:

3 641.0204 “Autism behavior interventionist” means a person
4 who is ~~certified as an autism behavior interventionist by the Board.~~
5 *registered as a Registered Behavior Technician or an equivalent*
6 *credential by the Behavior Analyst Certification Board, Inc., or its*
7 *successor organization, and provides behavioral therapy under the*
8 *supervision of:*

- 9 1. *A licensed psychologist;*
- 10 2. *A licensed behavior analyst; or*
- 11 3. *A licensed assistant behavior analyst.*

12 **Sec. 2.** NRS 641.100 is hereby amended to read as follows:

13 641.100 The Board may make and promulgate rules and
14 regulations not inconsistent with the provisions of this chapter
15 governing its procedure, the examination ~~{}~~ *and* licensure ~~and~~
16 ~~certification~~ of applicants, the granting, refusal, revocation or
17 suspension of licenses , ~~and certificates,~~ the practice of psychology
18 and the practice of applied behavior analysis.

19 **Sec. 3.** NRS 641.110 is hereby amended to read as follows:

20 641.110 The Board may, under the provisions of this chapter:

- 21 1. Examine and pass upon the qualifications of the applicants
22 for licensure . ~~and certification.~~
- 23 2. License ~~and certify~~ qualified applicants.
- 24 3. Revoke or suspend licenses . ~~and certificates.~~
- 25 4. Collect all fees and make disbursements pursuant to this
26 chapter.

27 **Sec. 4.** NRS 641.175 is hereby amended to read as follows:

28 641.175 1. In addition to any other requirements set forth in
29 this chapter:

30 (a) An applicant for the issuance of a license ~~or certificate~~ shall
31 include the social security number of the applicant in the application
32 submitted to the Board.

33 (b) An applicant for the issuance or renewal of a license ~~or~~
34 ~~certificate~~ shall submit to the Board the statement prescribed by the
35 Division of Welfare and Supportive Services of the Department of
36 Health and Human Services pursuant to NRS 425.520. The
37 statement must be completed and signed by the applicant.



1 2. The Board shall include the statement required pursuant to
2 subsection 1 in:

3 (a) The application or any other forms that must be submitted
4 for the issuance or renewal of the license ; ~~for certificate;~~ or

5 (b) A separate form prescribed by the Board.

6 3. A license ~~for certificate~~ may not be issued or renewed by
7 the Board if the applicant:

8 (a) Fails to submit the statement required pursuant to subsection
9 1; or

10 (b) Indicates on the statement submitted pursuant to subsection
11 1 that the applicant is subject to a court order for the support of a
12 child and is not in compliance with the order or a plan approved by
13 the district attorney or other public agency enforcing the order for
14 the repayment of the amount owed pursuant to the order.

15 4. If an applicant indicates on the statement submitted pursuant
16 to subsection 1 that the applicant is subject to a court order for the
17 support of a child and is not in compliance with the order or a plan
18 approved by the district attorney or other public agency enforcing
19 the order for the repayment of the amount owed pursuant to the
20 order, the Board shall advise the applicant to contact the district
21 attorney or other public agency enforcing the order to determine the
22 actions that the applicant may take to satisfy the arrearage.

23 **Sec. 5.** NRS 641.220 is hereby amended to read as follows:

24 641.220 1. To renew a license ~~for certificate~~ issued pursuant
25 to this chapter, each person must, on or before the first day of
26 January of each odd-numbered year:

27 (a) Apply to the Board for renewal;

28 (b) Pay the biennial fee for the renewal of a license ; ~~for~~
29 ~~certificate;~~

30 (c) Submit evidence to the Board of completion of the
31 requirements for continuing education; and

32 (d) Submit all information required to complete the renewal.

33 2. Upon renewing his or her license, a psychologist shall
34 declare his or her areas of competence, as determined in accordance
35 with NRS 641.112.

36 3. The Board shall, as a prerequisite for the renewal of a
37 license , ~~for certificate,~~ require each holder to comply with the
38 requirements for continuing education adopted by the Board.

39 **Sec. 6.** NRS 641.230 is hereby amended to read as follows:

40 641.230 The Board may suspend or revoke a person's license
41 as a psychologist, behavior analyst or assistant behavior analyst , ~~for~~
42 ~~certificate as an autism behavior interventionist,~~ place the person
43 on probation, require remediation for the person or take any other
44 action specified by regulation if the Board finds by substantial
45 evidence that the person has:



- 1 1. Been convicted of a felony relating to the practice of
2 psychology or the practice of applied behavior analysis.
- 3 2. Been convicted of any crime or offense that reflects the
4 inability of the person to practice psychology or applied behavior
5 analysis with due regard for the health and safety of others.
- 6 3. Been convicted of violating any of the provisions of NRS
7 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440,
8 inclusive.
- 9 4. Engaged in gross malpractice or repeated malpractice or
10 gross negligence in the practice of psychology or the practice of
11 applied behavior analysis.
- 12 5. Aided or abetted the practice of psychology by a person not
13 licensed by the Board.
- 14 6. Made any fraudulent or untrue statement to the Board.
- 15 7. Violated a regulation adopted by the Board.
- 16 8. Had a license to practice psychology or a license or
17 certificate to practice applied behavior analysis suspended or
18 revoked or has had any other disciplinary action taken against the
19 person by another state or territory of the United States, the District
20 of Columbia or a foreign country, if at least one of the grounds for
21 discipline is the same or substantially equivalent to any ground
22 contained in this chapter.
- 23 9. Failed to report to the Board within 30 days the revocation,
24 suspension or surrender of, or any other disciplinary action taken
25 against, a license or certificate to practice psychology or applied
26 behavior analysis issued to the person by another state or territory of
27 the United States, the District of Columbia or a foreign country.
- 28 10. Violated or attempted to violate, directly or indirectly, or
29 assisted in or abetted the violation of or conspired to violate a
30 provision of this chapter.
- 31 11. Performed or attempted to perform any professional service
32 while impaired by alcohol, drugs or by a mental or physical illness,
33 disorder or disease.
- 34 12. Engaged in sexual activity with a patient or client.
- 35 13. Been convicted of abuse or fraud in connection with any
36 state or federal program which provides medical assistance.
- 37 14. Been convicted of submitting a false claim for payment to
38 the insurer of a patient or client.
- 39 15. Operated a medical facility, as defined in NRS 449.0151, at
40 any time during which:
 - 41 (a) The license of the facility was suspended or revoked; or
 - 42 (b) An act or omission occurred which resulted in the
43 suspension or revocation of the license pursuant to NRS 449.160.
- 44 ➔ This subsection applies to an owner or other principal responsible
45 for the operation of the facility.



1 **Sec. 7.** NRS 641.232 is hereby amended to read as follows:
2 641.232 The Board shall adopt regulations that establish the
3 grounds for disciplinary action for a licensed behavior analyst ~~or~~
4 licensed assistant behavior analyst . ~~for certified autism behavior~~
5 ~~interventionist.~~

6 **Sec. 8.** NRS 641.240 is hereby amended to read as follows:
7 641.240 1. If the Board, a panel of its members or a hearing
8 officer appointed by the Board finds a person guilty in a disciplinary
9 proceeding, it may:

- 10 (a) Administer a public reprimand.
- 11 (b) Limit the person's practice.
- 12 (c) Suspend the person's license ~~for certificate~~ for a period of
13 not more than 1 year.
- 14 (d) Revoke the person's license . ~~for certificate.~~
- 15 (e) Impose a fine of not more than \$5,000.
- 16 (f) Revoke or suspend the person's license ~~for certificate~~ and
17 impose a monetary penalty.
- 18 (g) Suspend the enforcement of any penalty by placing the
19 person on probation. The Board may revoke the probation if the
20 person does not follow any conditions imposed.
- 21 (h) Require the person to submit to the supervision of or
22 counseling or treatment by a person designated by the Board. The
23 person named in the complaint is responsible for any expense
24 incurred.
- 25 (i) Impose and modify any conditions of probation for the
26 protection of the public or the rehabilitation of the probationer.
- 27 (j) Require the person to pay for the costs of remediation or
28 restitution.

- 29 2. The Board shall not administer a private reprimand.
- 30 3. An order that imposes discipline and the findings of fact and
31 conclusions of law supporting that order are public records.

32 **Sec. 9.** NRS 641.242 is hereby amended to read as follows:
33 641.242 1. If the Board receives a copy of a court order
34 issued pursuant to NRS 425.540 that provides for the suspension of
35 all professional, occupational and recreational licenses, certificates
36 and permits issued to a person who is the holder of a license ~~for~~
37 ~~certificate~~ issued pursuant to this chapter, the Board shall deem the
38 license ~~for certificate~~ issued to that person to be suspended at the
39 end of the 30th day after the date on which the court order was
40 issued unless the Board receives a letter issued to the holder of the
41 license ~~for certificate~~ by the district attorney or other public agency
42 pursuant to NRS 425.550 stating that the holder of the license ~~for~~
43 ~~certificate~~ has complied with the subpoena or warrant or has
44 satisfied the arrearage pursuant to NRS 425.560.



1 2. The Board shall reinstate a license ~~for certificate~~ issued
2 pursuant to this chapter that has been suspended by a district court
3 pursuant to NRS 425.540 if the Board receives a letter issued by the
4 district attorney or other public agency pursuant to NRS 425.550 to
5 the person whose license ~~for certificate~~ was suspended stating that
6 the person whose license ~~for certificate~~ was suspended has
7 complied with the subpoena or warrant or has satisfied the arrearage
8 pursuant to NRS 425.560.

9 **Sec. 10.** NRS 641.370 is hereby amended to read as follows:

10 641.370 1. The Board shall charge and collect not more than
11 the following fees respectively:

12	
13	For the national examination, in addition to the actual
14	cost to the Board of the examination..... \$100
15	For any other examination required pursuant to the
16	provisions of subsection 1 of NRS 641.180, in
17	addition to the actual costs to the Board of the
18	examination..... 100
19	For the issuance of an initial license for certificate 25
20	For the biennial renewal of a license of a
21	psychologist..... 500
22	For the biennial renewal of a license of a licensed
23	behavior analyst..... 400
24	For the biennial renewal of a license of a licensed
25	assistant behavior analyst..... 275
26	For the biennial renewal of a certificate of a certified
27	autism behavior interventionist..... 175
28	For the restoration of a license suspended for the
29	nonpayment of the biennial fee for the renewal of
30	a license..... 100
31	For the registration of a firm, partnership or
32	corporation which engages in or offers to engage
33	in the practice of psychology..... 300
34	For the registration of a nonresident to practice as a
35	consultant..... 100

36 2. An applicant who passes the national examination and any
37 other examination required pursuant to the provisions of subsection
38 1 of NRS 641.180 and who is eligible for a license as a psychologist
39 shall pay the biennial fee for the renewal of a license, which must be
40 prorated for the period from the date the license is issued to the end
41 of the biennium.

42 3. An applicant who passes the examination and is eligible for
43 a license as a behavior analyst or assistant behavior analyst ~~for a~~
44 ~~certificate as a autism behavior interventionist~~ shall pay the
45 biennial fee for the renewal of a license , ~~for certificate,~~ which must



1 be prorated for the period from the date the license ~~for certificate~~ is
2 issued to the end of the biennium.

3 4. In addition to the fees set forth in subsection 1, the Board
4 may charge and collect a fee for the expedited processing of a
5 request or for any other incidental service it provides. The fee must
6 not exceed the cost to provide the service.

7 **Sec. 11.** NRS 641.395 is hereby amended to read as follows:

8 641.395 1. A licensed assistant behavior analyst shall not
9 provide or supervise ~~behavior~~ *behavioral* therapy except under the
10 supervision of:

11 (a) A licensed psychologist; or

12 (b) A licensed behavior analyst.

13 2. ~~A certified~~ *An* autism behavior interventionist shall not
14 provide ~~behavior~~ *behavioral* therapy except under the supervision of
15 of:

16 (a) A licensed psychologist;

17 (b) A licensed behavior analyst; or

18 (c) A licensed assistant behavior analyst.

19 **Sec. 12.** NRS 287.0276 is hereby amended to read as follows:

20 287.0276 1. The governing body of any county, school
21 district, municipal corporation, political subdivision, public
22 corporation or other local governmental agency of the State of
23 Nevada that provides health insurance through a plan of self-
24 insurance must provide coverage for screening for and diagnosis of
25 autism spectrum disorders and for treatment of autism spectrum
26 disorders to persons covered by the plan of self-insurance under the
27 age of 18 *years* or, if enrolled in high school, until the person
28 reaches the age of 22 ~~+~~ *years*.

29 2. Coverage provided under this section is subject to:

30 (a) A maximum benefit of \$36,000 per year for applied behavior
31 analysis treatment; and

32 (b) Copayment, deductible and coinsurance provisions and any
33 other general exclusion or limitation of a plan of self-insurance to
34 the same extent as other medical services or prescription drugs
35 covered by the policy.

36 3. A governing body of any county, school district, municipal
37 corporation, political subdivision, public corporation or other local
38 governmental agency of the State of Nevada that provides health
39 insurance through a plan of self-insurance which provides coverage
40 for outpatient care shall not:

41 (a) Require an insured to pay a higher deductible, copayment or
42 coinsurance or require a longer waiting period for coverage for
43 outpatient care related to autism spectrum disorders than is required
44 for other outpatient care covered by the plan of self-insurance; or



1 (b) Refuse to issue a plan of self-insurance or cancel a plan of
2 self-insurance solely because the person applying for or covered by
3 the plan of self-insurance uses or may use in the future any of the
4 services listed in subsection 1.

5 4. Except as *otherwise* provided in subsections 1 and 2, a
6 governing body of any county, school district, municipal
7 corporation, political subdivision, public corporation or other local
8 governmental agency of the State of Nevada that provides health
9 insurance through a plan of self-insurance shall not limit the number
10 of visits an insured may make to any person, entity or group for
11 treatment of autism spectrum disorders.

12 5. Treatment of autism spectrum disorders must be identified in
13 a treatment plan and may include medically necessary habilitative or
14 rehabilitative care, prescription care, psychiatric care, psychological
15 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

16 (a) Prescribed for a person diagnosed with an autism spectrum
17 disorder by a licensed physician or licensed psychologist; and

18 (b) Provided for a person diagnosed with an autism spectrum
19 disorder by a licensed physician, licensed psychologist, licensed
20 behavior analyst or other provider that is supervised by the licensed
21 physician, psychologist or behavior analyst.

22 ↪ A governing body of any county, school district, municipal
23 corporation, political subdivision, public corporation or other local
24 governmental agency of the State of Nevada that provides health
25 insurance through a plan of self-insurance may request a copy of
26 and review a treatment plan created pursuant to this subsection.

27 6. A plan of self-insurance subject to the provisions of this
28 chapter that is delivered, issued for delivery or renewed on or after
29 July 1, 2011, has the legal effect of including the coverage required
30 by subsection 1, and any provision of the plan of self-insurance or
31 the renewal which is in conflict with subsections 1 or 2 is void.

32 7. Nothing in this section shall be construed as requiring a
33 governing body of any county, school district, municipal
34 corporation, political subdivision, public corporation or other local
35 governmental agency of the State of Nevada that provides health
36 insurance through a plan of self-insurance to provide reimbursement
37 to an early intervention agency or school for services delivered
38 through early intervention or school services.

39 8. As used in this section:

40 (a) “Applied behavior analysis” means the design,
41 implementation and evaluation of environmental modifications
42 using behavioral stimuli and consequences to produce socially
43 significant improvement in human behavior, including, without
44 limitation, the use of direct observation, measurement and



1 functional analysis of the relations between environment and
2 behavior.

3 (b) *“Autism behavior interventionist” means a person who is*
4 *registered as a Registered Behavior Technician or an equivalent*
5 *credential by the Behavior Analyst Certification Board, Inc., or its*
6 *successor organization, and provides behavioral therapy under the*
7 *supervision of:*

- 8 (1) *A licensed psychologist;*
9 (2) *A licensed behavior analyst; or*
10 (3) *A licensed assistant behavior analyst.*

11 (c) “Autism spectrum disorders” means a neurobiological
12 medical condition including, without limitation, autistic disorder,
13 Asperger’s Disorder and Pervasive Development Disorder Not
14 Otherwise Specified.

15 ~~(e)~~ (d) “Behavioral therapy” means any interactive therapy
16 derived from evidence-based research, including, without limitation,
17 discrete trial training, early intensive behavioral intervention,
18 intensive intervention programs, pivotal response training and
19 verbal behavior provided by a licensed psychologist, licensed
20 behavior analyst, licensed assistant behavior analyst or ~~certified~~
21 autism behavior interventionist.

22 ~~(d) “Certified autism behavior interventionist” means a person~~
23 ~~who is certified as an autism behavior interventionist by the Board~~
24 ~~of Psychological Examiners and who provides behavior therapy~~
25 ~~under the supervision of:~~

- 26 ~~—— (1) A licensed psychologist;~~
27 ~~—— (2) A licensed behavior analyst; or~~
28 ~~—— (3) A licensed assistant behavior analyst.]~~

29 (e) “Evidence-based research” means research that applies
30 rigorous, systematic and objective procedures to obtain valid
31 knowledge relevant to autism spectrum disorders.

32 (f) “Habilitative or rehabilitative care” means counseling,
33 guidance and professional services and treatment programs,
34 including, without limitation, applied behavior analysis, that are
35 necessary to develop, maintain and restore, to the maximum extent
36 practicable, the functioning of a person.

37 (g) “Licensed assistant behavior analyst” means a person who
38 holds current certification or meets the standards to be certified as a
39 board certified assistant behavior analyst issued by the Behavior
40 Analyst Certification Board, Inc., or any successor in interest to that
41 organization, who is licensed as an assistant behavior analyst by the
42 Board of Psychological Examiners and who provides ~~behavior~~
43 *behavioral* therapy under the supervision of a licensed behavior
44 analyst or psychologist.



1 (h) "Licensed behavior analyst" means a person who holds
2 current certification or meets the standards to be certified as a board
3 certified behavior analyst or a board certified assistant behavior
4 analyst issued by the Behavior Analyst Certification Board, Inc., or
5 any successor in interest to that organization and who is licensed as
6 a behavior analyst by the Board of Psychological Examiners.

7 (i) "Prescription care" means medications prescribed by a
8 licensed physician and any health-related services deemed medically
9 necessary to determine the need or effectiveness of the medications.

10 (j) "Psychiatric care" means direct or consultative services
11 provided by a psychiatrist licensed in the state in which the
12 psychiatrist practices.

13 (k) "Psychological care" means direct or consultative services
14 provided by a psychologist licensed in the state in which the
15 psychologist practices.

16 (l) "Screening for autism spectrum disorders" means all
17 medically appropriate assessments, evaluations or tests to diagnose
18 whether a person has an autism spectrum disorder.

19 (m) "Therapeutic care" means services provided by licensed or
20 certified speech pathologists, occupational therapists and physical
21 therapists.

22 (n) "Treatment plan" means a plan to treat an autism spectrum
23 disorder that is prescribed by a licensed physician or licensed
24 psychologist and may be developed pursuant to a comprehensive
25 evaluation in coordination with a licensed behavior analyst.

26 **Sec. 13.** NRS 287.0276 is hereby amended to read as follows:

27 287.0276 1. The governing body of any county, school
28 district, municipal corporation, political subdivision, public
29 corporation or other local governmental agency of the State of
30 Nevada that provides health insurance through a plan of self-
31 insurance must provide coverage for screening for and diagnosis of
32 autism spectrum disorders and for treatment of autism spectrum
33 disorders to persons covered by the plan of self-insurance under the
34 age of 18 years or, if enrolled in high school, until the person
35 reaches the age of 22 years.

36 2. Coverage provided under this section is subject to:

37 (a) A maximum benefit of ~~1336,0001~~ *the actuarial equivalent of*
38 *\$72,000* per year for applied behavior analysis treatment; and

39 (b) Copayment, deductible and coinsurance provisions and any
40 other general exclusion or limitation of a plan of self-insurance to
41 the same extent as other medical services or prescription drugs
42 covered by the policy.

43 3. A governing body of any county, school district, municipal
44 corporation, political subdivision, public corporation or other local
45 governmental agency of the State of Nevada that provides health



1 insurance through a plan of self-insurance which provides coverage
2 for outpatient care shall not:

3 (a) Require an insured to pay a higher deductible, copayment or
4 coinsurance or require a longer waiting period for coverage for
5 outpatient care related to autism spectrum disorders than is required
6 for other outpatient care covered by the plan of self-insurance; or

7 (b) Refuse to issue a plan of self-insurance or cancel a plan of
8 self-insurance solely because the person applying for or covered by
9 the plan of self-insurance uses or may use in the future any of the
10 services listed in subsection 1.

11 4. Except as otherwise provided in subsections 1 and 2, a
12 governing body of any county, school district, municipal
13 corporation, political subdivision, public corporation or other local
14 governmental agency of the State of Nevada that provides health
15 insurance through a plan of self-insurance shall not limit the number
16 of visits an insured may make to any person, entity or group for
17 treatment of autism spectrum disorders.

18 5. Treatment of autism spectrum disorders must be identified in
19 a treatment plan and may include medically necessary habilitative or
20 rehabilitative care, prescription care, psychiatric care, psychological
21 care, behavioral therapy or therapeutic care that is:

22 (a) Prescribed for a person diagnosed with an autism spectrum
23 disorder by a licensed physician or licensed psychologist; and

24 (b) Provided for a person diagnosed with an autism spectrum
25 disorder by a licensed physician, licensed psychologist, licensed
26 behavior analyst or other provider that is supervised by the licensed
27 physician, psychologist or behavior analyst.

28 ↪ A governing body of any county, school district, municipal
29 corporation, political subdivision, public corporation or other local
30 governmental agency of the State of Nevada that provides health
31 insurance through a plan of self-insurance may request a copy of
32 and review a treatment plan created pursuant to this subsection.

33 6. A plan of self-insurance subject to the provisions of this
34 chapter that is delivered, issued for delivery or renewed on or after
35 July 1, 2011, has the legal effect of including the coverage required
36 by subsection 1, and any provision of the plan of self-insurance or
37 the renewal which is in conflict with subsections 1 or 2 is void.

38 7. Nothing in this section shall be construed as requiring a
39 governing body of any county, school district, municipal
40 corporation, political subdivision, public corporation or other local
41 governmental agency of the State of Nevada that provides health
42 insurance through a plan of self-insurance to provide reimbursement
43 to an early intervention agency or school for services delivered
44 through early intervention or school services.

45 8. As used in this section:



1 (a) “Applied behavior analysis” means the design,
2 implementation and evaluation of environmental modifications
3 using behavioral stimuli and consequences to produce socially
4 significant improvement in human behavior, including, without
5 limitation, the use of direct observation, measurement and
6 functional analysis of the relations between environment and
7 behavior.

8 (b) “Autism behavior interventionist” means a person who is
9 registered as a Registered Behavior Technician or an equivalent
10 credential by the Behavior Analyst Certification Board, Inc., or its
11 successor organization, and provides behavioral therapy under the
12 supervision of:

- 13 (1) A licensed psychologist;
- 14 (2) A licensed behavior analyst; or
- 15 (3) A licensed assistant behavior analyst.

16 (c) “Autism spectrum disorders” means a neurobiological
17 medical condition including, without limitation, autistic disorder,
18 Asperger’s Disorder and Pervasive Development Disorder Not
19 Otherwise Specified.

20 (d) “Behavioral therapy” means any interactive therapy derived
21 from evidence-based research, including, without limitation, discrete
22 trial training, early intensive behavioral intervention, intensive
23 intervention programs, pivotal response training and verbal behavior
24 provided by a licensed psychologist, licensed behavior analyst,
25 licensed assistant behavior analyst or autism behavior
26 interventionist.

27 (e) “Evidence-based research” means research that applies
28 rigorous, systematic and objective procedures to obtain valid
29 knowledge relevant to autism spectrum disorders.

30 (f) “Habilitative or rehabilitative care” means counseling,
31 guidance and professional services and treatment programs,
32 including, without limitation, applied behavior analysis, that are
33 necessary to develop, maintain and restore, to the maximum extent
34 practicable, the functioning of a person.

35 (g) “Licensed assistant behavior analyst” means a person who
36 holds current certification or meets the standards to be certified as a
37 board certified assistant behavior analyst issued by the Behavior
38 Analyst Certification Board, Inc., or any successor in interest to that
39 organization, who is licensed as an assistant behavior analyst by the
40 Board of Psychological Examiners and who provides behavioral
41 therapy under the supervision of a licensed behavior analyst or
42 psychologist.

43 (h) “Licensed behavior analyst” means a person who holds
44 current certification or meets the standards to be certified as a board
45 certified behavior analyst or a board certified assistant behavior



1 analyst issued by the Behavior Analyst Certification Board, Inc., or
2 any successor in interest to that organization and who is licensed as
3 a behavior analyst by the Board of Psychological Examiners.

4 (i) "Prescription care" means medications prescribed by a
5 licensed physician and any health-related services deemed medically
6 necessary to determine the need or effectiveness of the medications.

7 (j) "Psychiatric care" means direct or consultative services
8 provided by a psychiatrist licensed in the state in which the
9 psychiatrist practices.

10 (k) "Psychological care" means direct or consultative services
11 provided by a psychologist licensed in the state in which the
12 psychologist practices.

13 (l) "Screening for autism spectrum disorders" means all
14 medically appropriate assessments, evaluations or tests to diagnose
15 whether a person has an autism spectrum disorder.

16 (m) "Therapeutic care" means services provided by licensed or
17 certified speech pathologists, occupational therapists and physical
18 therapists.

19 (n) "Treatment plan" means a plan to treat an autism spectrum
20 disorder that is prescribed by a licensed physician or licensed
21 psychologist and may be developed pursuant to a comprehensive
22 evaluation in coordination with a licensed behavior analyst.

23 **Sec. 14.** NRS 689A.0435 is hereby amended to read as
24 follows:

25 689A.0435 1. A health benefit plan must provide an option
26 of coverage for screening for and diagnosis of autism spectrum
27 disorders and for treatment of autism spectrum disorders for persons
28 covered by the policy under the age of 18 *years* or, if enrolled in
29 high school, until the person reaches the age of 22 *½ years*.

30 2. Optional coverage provided pursuant to this section must be
31 subject to:

32 (a) A maximum benefit of not less than \$36,000 per year for
33 applied behavior analysis treatment; and

34 (b) Copayment, deductible and coinsurance provisions and any
35 other general exclusions or limitations of a policy of health
36 insurance to the same extent as other medical services or
37 prescription drugs covered by the policy.

38 3. A health benefit plan that offers or issues a policy of health
39 insurance which provides coverage for outpatient care shall not:

40 (a) Require an insured to pay a higher deductible, copayment or
41 coinsurance or require a longer waiting period for optional coverage
42 for outpatient care related to autism spectrum disorders than is
43 required for other outpatient care covered by the policy; or

44 (b) Refuse to issue a policy of health insurance or cancel a
45 policy of health insurance solely because the person applying for or



1 covered by the policy uses or may use in the future any of the
2 services listed in subsection 1.

3 4. Except as *otherwise* provided in subsections 1 and 2, an
4 insurer who offers optional coverage pursuant to subsection 1 shall
5 not limit the number of visits an insured may make to any person,
6 entity or group for treatment of autism spectrum disorders.

7 5. Treatment of autism spectrum disorders must be identified in
8 a treatment plan and may include medically necessary habilitative or
9 rehabilitative care, prescription care, psychiatric care, psychological
10 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

11 (a) Prescribed for a person diagnosed with an autism spectrum
12 disorder by a licensed physician or licensed psychologist; and

13 (b) Provided for a person diagnosed with an autism spectrum
14 disorder by a licensed physician, licensed psychologist, licensed
15 behavior analyst or other provider that is supervised by the licensed
16 physician, psychologist or behavior analyst.

17 ↪ An insurer may request a copy of and review a treatment plan
18 created pursuant to this subsection.

19 6. Nothing in this section shall be construed as requiring an
20 insurer to provide reimbursement to an early intervention agency or
21 school for services delivered through early intervention or school
22 services.

23 7. As used in this section:

24 (a) “Applied behavior analysis” means the design,
25 implementation and evaluation of environmental modifications
26 using behavioral stimuli and consequences to produce socially
27 significant improvement in human behavior, including, without
28 limitation, the use of direct observation, measurement and
29 functional analysis of the relations between environment and
30 behavior.

31 (b) *“Autism behavior interventionist” means a person who is*
32 *registered as a Registered Behavior Technician or an equivalent*
33 *credential by the Behavior Analyst Certification Board, Inc., or its*
34 *successor organization, and provides behavioral therapy under the*
35 *supervision of:*

36 (1) *A licensed psychologist;*

37 (2) *A licensed behavior analyst; or*

38 (3) *A licensed assistant behavior analyst.*

39 (c) “Autism spectrum disorders” means a neurobiological
40 medical condition including, without limitation, autistic disorder,
41 Asperger’s Disorder and Pervasive Developmental Disorder Not
42 Otherwise Specified.

43 ~~(e)~~ (d) “Behavioral therapy” means any interactive therapy
44 derived from evidence-based research, including, without limitation,
45 discrete trial training, early intensive behavioral intervention,



1 intensive intervention programs, pivotal response training and
2 verbal behavior provided by a licensed psychologist, licensed
3 behavior analyst, licensed assistant behavior analyst or ~~certified~~
4 autism behavior interventionist.

5 ~~[(d) “Certified autism behavior interventionist” means a person
6 who is certified as an autism behavior interventionist by the Board
7 of Psychological Examiners and who provides behavior therapy
8 under the supervision of:~~

- 9 ~~—— (1) A licensed psychologist;
10 —— (2) A licensed behavior analyst; or
11 —— (3) A licensed assistant behavior analyst.]~~

12 (e) “Evidence-based research” means research that applies
13 rigorous, systematic and objective procedures to obtain valid
14 knowledge relevant to autism spectrum disorders.

15 (f) “Habilitation or rehabilitative care” means counseling,
16 guidance and professional services and treatment programs,
17 including, without limitation, applied behavior analysis, that are
18 necessary to develop, maintain and restore, to the maximum extent
19 practicable, the functioning of a person.

20 (g) “Licensed assistant behavior analyst” means a person who
21 holds current certification or meets the standards to be certified as a
22 board certified assistant behavior analyst issued by the Behavior
23 Analyst Certification Board, Inc., or any successor in interest to that
24 organization, who is licensed as an assistant behavior analyst by the
25 Board of Psychological Examiners and who provides behavioral
26 therapy under the supervision of a licensed behavior analyst or
27 psychologist.

28 (h) “Licensed behavior analyst” means a person who holds
29 current certification or meets the standards to be certified as a board
30 certified behavior analyst or a board certified assistant behavior
31 analyst issued by the Behavior Analyst Certification Board, Inc., or
32 any successor in interest to that organization, and who is licensed as
33 a behavior analyst by the Board of Psychological Examiners.

34 (i) “Prescription care” means medications prescribed by a
35 licensed physician and any health-related services deemed medically
36 necessary to determine the need or effectiveness of the medications.

37 (j) “Psychiatric care” means direct or consultative services
38 provided by a psychiatrist licensed in the state in which the
39 psychiatrist practices.

40 (k) “Psychological care” means direct or consultative services
41 provided by a psychologist licensed in the state in which the
42 psychologist practices.

43 (l) “Screening for autism spectrum disorders” means medically
44 necessary assessments, evaluations or tests to screen and diagnose
45 whether a person has an autism spectrum disorder.



1 (m) "Therapeutic care" means services provided by licensed or
2 certified speech pathologists, occupational therapists and physical
3 therapists.

4 (n) "Treatment plan" means a plan to treat an autism spectrum
5 disorder that is prescribed by a licensed physician or licensed
6 psychologist and may be developed pursuant to a comprehensive
7 evaluation in coordination with a licensed behavior analyst.

8 **Sec. 15.** NRS 689A.0435 is hereby amended to read as
9 follows:

10 689A.0435 1. A health benefit plan must provide an option
11 of coverage for screening for and diagnosis of autism spectrum
12 disorders and for treatment of autism spectrum disorders for persons
13 covered by the policy under the age of 18 years or, if enrolled in
14 high school, until the person reaches the age of 22 years.

15 2. Optional coverage provided pursuant to this section must be
16 subject to:

17 (a) A maximum benefit of not less than ~~136,000~~ *the actuarial*
18 *equivalent of \$72,000* per year for applied behavior analysis
19 treatment; and

20 (b) Copayment, deductible and coinsurance provisions and any
21 other general exclusions or limitations of a policy of health
22 insurance to the same extent as other medical services or
23 prescription drugs covered by the policy.

24 3. A health benefit plan that offers or issues a policy of health
25 insurance which provides coverage for outpatient care shall not:

26 (a) Require an insured to pay a higher deductible, copayment or
27 coinsurance or require a longer waiting period for optional coverage
28 for outpatient care related to autism spectrum disorders than is
29 required for other outpatient care covered by the policy; or

30 (b) Refuse to issue a policy of health insurance or cancel a
31 policy of health insurance solely because the person applying for or
32 covered by the policy uses or may use in the future any of the
33 services listed in subsection 1.

34 4. Except as otherwise provided in subsections 1 and 2, an
35 insurer who offers optional coverage pursuant to subsection 1 shall
36 not limit the number of visits an insured may make to any person,
37 entity or group for treatment of autism spectrum disorders.

38 5. Treatment of autism spectrum disorders must be identified in
39 a treatment plan and may include medically necessary habilitative or
40 rehabilitative care, prescription care, psychiatric care, psychological
41 care, behavioral therapy or therapeutic care that is:

42 (a) Prescribed for a person diagnosed with an autism spectrum
43 disorder by a licensed physician or licensed psychologist; and

44 (b) Provided for a person diagnosed with an autism spectrum
45 disorder by a licensed physician, licensed psychologist, licensed



1 behavior analyst or other provider that is supervised by the licensed
2 physician, psychologist or behavior analyst.

3 ↪ An insurer may request a copy of and review a treatment plan
4 created pursuant to this subsection.

5 6. Nothing in this section shall be construed as requiring an
6 insurer to provide reimbursement to an early intervention agency or
7 school for services delivered through early intervention or school
8 services.

9 7. As used in this section:

10 (a) “Applied behavior analysis” means the design,
11 implementation and evaluation of environmental modifications
12 using behavioral stimuli and consequences to produce socially
13 significant improvement in human behavior, including, without
14 limitation, the use of direct observation, measurement and
15 functional analysis of the relations between environment and
16 behavior.

17 (b) “Autism behavior interventionist” means a person who is
18 registered as a Registered Behavior Technician or an equivalent
19 credential by the Behavior Analyst Certification Board, Inc., or its
20 successor organization, and provides behavioral therapy under the
21 supervision of:

- 22 (1) A licensed psychologist;
- 23 (2) A licensed behavior analyst; or
- 24 (3) A licensed assistant behavior analyst.

25 (c) “Autism spectrum disorders” means a neurobiological
26 medical condition including, without limitation, autistic disorder,
27 Asperger’s Disorder and Pervasive Developmental Disorder Not
28 Otherwise Specified.

29 (d) “Behavioral therapy” means any interactive therapy derived
30 from evidence-based research, including, without limitation, discrete
31 trial training, early intensive behavioral intervention, intensive
32 intervention programs, pivotal response training and verbal behavior
33 provided by a licensed psychologist, licensed behavior analyst,
34 licensed assistant behavior analyst or autism behavior
35 interventionist.

36 (e) “Evidence-based research” means research that applies
37 rigorous, systematic and objective procedures to obtain valid
38 knowledge relevant to autism spectrum disorders.

39 (f) “Habilitative or rehabilitative care” means counseling,
40 guidance and professional services and treatment programs,
41 including, without limitation, applied behavior analysis, that are
42 necessary to develop, maintain and restore, to the maximum extent
43 practicable, the functioning of a person.

44 (g) “Licensed assistant behavior analyst” means a person who
45 holds current certification or meets the standards to be certified as a



* A B 6 R 1 *

1 board certified assistant behavior analyst issued by the Behavior
2 Analyst Certification Board, Inc., or any successor in interest to that
3 organization, who is licensed as an assistant behavior analyst by the
4 Board of Psychological Examiners and who provides behavioral
5 therapy under the supervision of a licensed behavior analyst or
6 psychologist.

7 (h) "Licensed behavior analyst" means a person who holds
8 current certification or meets the standards to be certified as a board
9 certified behavior analyst or a board certified assistant behavior
10 analyst issued by the Behavior Analyst Certification Board, Inc., or
11 any successor in interest to that organization, and who is licensed as
12 a behavior analyst by the Board of Psychological Examiners.

13 (i) "Prescription care" means medications prescribed by a
14 licensed physician and any health-related services deemed medically
15 necessary to determine the need or effectiveness of the medications.

16 (j) "Psychiatric care" means direct or consultative services
17 provided by a psychiatrist licensed in the state in which the
18 psychiatrist practices.

19 (k) "Psychological care" means direct or consultative services
20 provided by a psychologist licensed in the state in which the
21 psychologist practices.

22 (l) "Screening for autism spectrum disorders" means medically
23 necessary assessments, evaluations or tests to screen and diagnose
24 whether a person has an autism spectrum disorder.

25 (m) "Therapeutic care" means services provided by licensed or
26 certified speech pathologists, occupational therapists and physical
27 therapists.

28 (n) "Treatment plan" means a plan to treat an autism spectrum
29 disorder that is prescribed by a licensed physician or licensed
30 psychologist and may be developed pursuant to a comprehensive
31 evaluation in coordination with a licensed behavior analyst.

32 **Sec. 16.** NRS 689B.0335 is hereby amended to read as
33 follows:

34 689B.0335 1. A health benefit plan must provide coverage
35 for screening for and diagnosis of autism spectrum disorders and for
36 treatment of autism spectrum disorders to persons covered by the
37 policy of group health insurance under the age of 18 *years* or, if
38 enrolled in high school, until the person reaches the age of 22 **H**
39 *years*.

40 2. Coverage provided under this section is subject to:

41 (a) A maximum benefit of \$36,000 per year for applied behavior
42 analysis treatment; and

43 (b) Copayment, deductible and coinsurance provisions and any
44 other general exclusion or limitation of a policy of group health



1 insurance to the same extent as other medical services or
2 prescription drugs covered by the policy.

3 3. A health benefit plan that offers or issues a policy of group
4 health insurance which provides coverage for outpatient care shall
5 not:

6 (a) Require an insured to pay a higher deductible, copayment or
7 coinsurance or require a longer waiting period for coverage for
8 outpatient care related to autism spectrum disorders than is required
9 for other outpatient care covered by the policy; or

10 (b) Refuse to issue a policy of group health insurance or cancel a
11 policy of group health insurance solely because the person applying
12 for or covered by the policy uses or may use in the future any of the
13 services listed in subsection 1.

14 4. Except as *otherwise* provided in subsections 1 and 2, an
15 insurer shall not limit the number of visits an insured may make to
16 any person, entity or group for treatment of autism spectrum
17 disorders.

18 5. Treatment of autism spectrum disorders must be identified in
19 a treatment plan and may include medically necessary habilitative or
20 rehabilitative care, prescription care, psychiatric care, psychological
21 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

22 (a) Prescribed for a person diagnosed with an autism spectrum
23 disorder by a licensed physician or licensed psychologist; and

24 (b) Provided for a person diagnosed with an autism spectrum
25 disorder by a licensed physician, licensed psychologist, licensed
26 behavior analyst or other provider that is supervised by the licensed
27 physician, psychologist or behavior analyst.

28 ↪ An insurer may request a copy of and review a treatment plan
29 created pursuant to this subsection.

30 6. A policy subject to the provisions of this chapter that is
31 delivered, issued for delivery or renewed on or after January 1,
32 2011, has the legal effect of including the coverage required by
33 subsection 1, and any provision of the policy or the renewal which is
34 in conflict with subsection 1 or 2 is void.

35 7. Nothing in this section shall be construed as requiring an
36 insurer to provide reimbursement to an early intervention agency or
37 school for services delivered through early intervention or school
38 services.

39 8. As used in this section:

40 (a) "Applied behavior analysis" means the design,
41 implementation and evaluation of environmental modifications
42 using behavioral stimuli and consequences to produce socially
43 significant improvement in human behavior, including, without
44 limitation, the use of direct observation, measurement and



1 functional analysis of the relations between environment and
2 behavior.

3 (b) *“Autism behavior interventionist” means a person who is*
4 *registered as a Registered Behavior Technician or an equivalent*
5 *credential by the Behavior Analyst Certification Board, Inc., or its*
6 *successor organization, and provides behavioral therapy under the*
7 *supervision of:*

- 8 (1) *A licensed psychologist;*
- 9 (2) *A licensed behavior analyst; or*
- 10 (3) *A licensed assistant behavior analyst.*

11 (c) “Autism spectrum disorders” means a neurobiological
12 medical condition including, without limitation, autistic disorder,
13 Asperger’s Disorder and Pervasive Developmental Disorder Not
14 Otherwise Specified.

15 ~~(e)~~ (d) “Behavioral therapy” means any interactive therapy
16 derived from evidence-based research, including, without limitation,
17 discrete trial training, early intensive behavioral intervention,
18 intensive intervention programs, pivotal response training and
19 verbal behavior provided by a licensed psychologist, licensed
20 behavior analyst, licensed assistant behavior analyst or ~~certified~~
21 autism behavior interventionist.

22 ~~(d) “Certified autism behavior interventionist” means a person~~
23 ~~who is certified as an autism behavior interventionist by the Board~~
24 ~~of Psychological Examiners and who provides behavior therapy~~
25 ~~under the supervision of:~~

- 26 ~~—— (1) A licensed psychologist;~~
- 27 ~~—— (2) A licensed behavior analyst; or~~
- 28 ~~—— (3) A licensed assistant behavior analyst.]~~

29 (e) “Evidence-based research” means research that applies
30 rigorous, systematic and objective procedures to obtain valid
31 knowledge relevant to autism spectrum disorders.

32 (f) “Habilitative or rehabilitative care” means counseling,
33 guidance and professional services and treatment programs,
34 including, without limitation, applied behavior analysis, that are
35 necessary to develop, maintain and restore, to the maximum extent
36 practicable, the functioning of a person.

37 (g) “Licensed assistant behavior analyst” means a person who
38 holds current certification or meets the standards to be certified as a
39 board certified assistant behavior analyst issued by the Behavior
40 Analyst Certification Board, Inc., or any successor in interest to that
41 organization, who is licensed as an assistant behavior analyst by the
42 Board of Psychological Examiners and who provides behavioral
43 therapy under the supervision of a licensed behavior analyst or
44 psychologist.



1 (h) "Licensed behavior analyst" means a person who holds
2 current certification or meets the standards to be certified as a board
3 certified behavior analyst or a board certified assistant behavior
4 analyst issued by the Behavior Analyst Certification Board, Inc., or
5 any successor in interest to that organization and who is licensed as
6 a behavior analyst by the Board of Psychological Examiners.

7 (i) "Prescription care" means medications prescribed by a
8 licensed physician and any health-related services deemed medically
9 necessary to determine the need or effectiveness of the medications.

10 (j) "Psychiatric care" means direct or consultative services
11 provided by a psychiatrist licensed in the state in which the
12 psychiatrist practices.

13 (k) "Psychological care" means direct or consultative services
14 provided by a psychologist licensed in the state in which the
15 psychologist practices.

16 (l) "Screening for autism spectrum disorders" means medically
17 necessary assessments, evaluations or tests to screen and diagnose
18 whether a person has an autism spectrum disorder.

19 (m) "Therapeutic care" means services provided by licensed or
20 certified speech pathologists, occupational therapists and physical
21 therapists.

22 (n) "Treatment plan" means a plan to treat an autism spectrum
23 disorder that is prescribed by a licensed physician or licensed
24 psychologist and may be developed pursuant to a comprehensive
25 evaluation in coordination with a licensed behavior analyst.

26 **Sec. 17.** NRS 689B.0335 is hereby amended to read as
27 follows:

28 689B.0335 1. A health benefit plan must provide coverage
29 for screening for and diagnosis of autism spectrum disorders and for
30 treatment of autism spectrum disorders to persons covered by the
31 policy of group health insurance under the age of 18 years or, if
32 enrolled in high school, until the person reaches the age of 22 years.

33 2. Coverage provided under this section is subject to:

34 (a) A maximum benefit of ~~1~~~~\$36,000~~ *the actuarial equivalent of*
35 *\$72,000* per year for applied behavior analysis treatment; and

36 (b) Copayment, deductible and coinsurance provisions and any
37 other general exclusion or limitation of a policy of group health
38 insurance to the same extent as other medical services or
39 prescription drugs covered by the policy.

40 3. A health benefit plan that offers or issues a policy of group
41 health insurance which provides coverage for outpatient care shall
42 not:

43 (a) Require an insured to pay a higher deductible, copayment or
44 coinsurance or require a longer waiting period for coverage for



1 outpatient care related to autism spectrum disorders than is required
2 for other outpatient care covered by the policy; or

3 (b) Refuse to issue a policy of group health insurance or cancel a
4 policy of group health insurance solely because the person applying
5 for or covered by the policy uses or may use in the future any of the
6 services listed in subsection 1.

7 4. Except as otherwise provided in subsections 1 and 2, an
8 insurer shall not limit the number of visits an insured may make to
9 any person, entity or group for treatment of autism spectrum
10 disorders.

11 5. Treatment of autism spectrum disorders must be identified in
12 a treatment plan and may include medically necessary habilitative or
13 rehabilitative care, prescription care, psychiatric care, psychological
14 care, behavioral therapy or therapeutic care that is:

15 (a) Prescribed for a person diagnosed with an autism spectrum
16 disorder by a licensed physician or licensed psychologist; and

17 (b) Provided for a person diagnosed with an autism spectrum
18 disorder by a licensed physician, licensed psychologist, licensed
19 behavior analyst or other provider that is supervised by the licensed
20 physician, psychologist or behavior analyst.

21 ➤ An insurer may request a copy of and review a treatment plan
22 created pursuant to this subsection.

23 6. A policy subject to the provisions of this chapter that is
24 delivered, issued for delivery or renewed on or after January 1,
25 2011, has the legal effect of including the coverage required by
26 subsection 1, and any provision of the policy or the renewal which is
27 in conflict with subsection 1 or 2 is void.

28 7. Nothing in this section shall be construed as requiring an
29 insurer to provide reimbursement to an early intervention agency or
30 school for services delivered through early intervention or school
31 services.

32 8. As used in this section:

33 (a) "Applied behavior analysis" means the design,
34 implementation and evaluation of environmental modifications
35 using behavioral stimuli and consequences to produce socially
36 significant improvement in human behavior, including, without
37 limitation, the use of direct observation, measurement and
38 functional analysis of the relations between environment and
39 behavior.

40 (b) "Autism behavior interventionist" means a person who is
41 registered as a Registered Behavior Technician or an equivalent
42 credential by the Behavior Analyst Certification Board, Inc., or its
43 successor organization, and provides behavioral therapy under the
44 supervision of:

45 (1) A licensed psychologist;



1 (2) A licensed behavior analyst; or

2 (3) A licensed assistant behavior analyst.

3 (c) "Autism spectrum disorders" means a neurobiological
4 medical condition including, without limitation, autistic disorder,
5 Asperger's Disorder and Pervasive Developmental Disorder Not
6 Otherwise Specified.

7 (d) "Behavioral therapy" means any interactive therapy derived
8 from evidence-based research, including, without limitation, discrete
9 trial training, early intensive behavioral intervention, intensive
10 intervention programs, pivotal response training and verbal behavior
11 provided by a licensed psychologist, licensed behavior analyst,
12 licensed assistant behavior analyst or autism behavior
13 interventionist.

14 (e) "Evidence-based research" means research that applies
15 rigorous, systematic and objective procedures to obtain valid
16 knowledge relevant to autism spectrum disorders.

17 (f) "Habilitative or rehabilitative care" means counseling,
18 guidance and professional services and treatment programs,
19 including, without limitation, applied behavior analysis, that are
20 necessary to develop, maintain and restore, to the maximum extent
21 practicable, the functioning of a person.

22 (g) "Licensed assistant behavior analyst" means a person who
23 holds current certification or meets the standards to be certified as a
24 board certified assistant behavior analyst issued by the Behavior
25 Analyst Certification Board, Inc., or any successor in interest to that
26 organization, who is licensed as an assistant behavior analyst by the
27 Board of Psychological Examiners and who provides behavioral
28 therapy under the supervision of a licensed behavior analyst or
29 psychologist.

30 (h) "Licensed behavior analyst" means a person who holds
31 current certification or meets the standards to be certified as a board
32 certified behavior analyst or a board certified assistant behavior
33 analyst issued by the Behavior Analyst Certification Board, Inc., or
34 any successor in interest to that organization and who is licensed as
35 a behavior analyst by the Board of Psychological Examiners.

36 (i) "Prescription care" means medications prescribed by a
37 licensed physician and any health-related services deemed medically
38 necessary to determine the need or effectiveness of the medications.

39 (j) "Psychiatric care" means direct or consultative services
40 provided by a psychiatrist licensed in the state in which the
41 psychiatrist practices.

42 (k) "Psychological care" means direct or consultative services
43 provided by a psychologist licensed in the state in which the
44 psychologist practices.



1 (l) "Screening for autism spectrum disorders" means medically
2 necessary assessments, evaluations or tests to screen and diagnose
3 whether a person has an autism spectrum disorder.

4 (m) "Therapeutic care" means services provided by licensed or
5 certified speech pathologists, occupational therapists and physical
6 therapists.

7 (n) "Treatment plan" means a plan to treat an autism spectrum
8 disorder that is prescribed by a licensed physician or licensed
9 psychologist and may be developed pursuant to a comprehensive
10 evaluation in coordination with a licensed behavior analyst.

11 **Sec. 18.** NRS 689C.1655 is hereby amended to read as
12 follows:

13 689C.1655 1. A health benefit plan must provide coverage
14 for screening for and diagnosis of autism spectrum disorders and for
15 treatment of autism spectrum disorders to persons covered by the
16 health benefit plan under the age of 18 *years* or, if enrolled in high
17 school, until the person reaches the age of 22 ~~+~~ *years*.

18 2. Coverage provided under this section is subject to:

19 (a) A maximum benefit of \$36,000 per year for applied behavior
20 analysis treatment; and

21 (b) Copayment, deductible and coinsurance provisions and any
22 other general exclusion or limitation of a health benefit plan to the
23 same extent as other medical services or prescription drugs covered
24 by the plan.

25 3. A health benefit plan that offers or issues a policy of group
26 health insurance which provides coverage for outpatient care shall
27 not:

28 (a) Require an insured to pay a higher deductible, copayment or
29 coinsurance or require a longer waiting period for coverage for
30 outpatient care related to autism spectrum disorders than is required
31 for other outpatient care covered by the plan; or

32 (b) Refuse to issue a health benefit plan or cancel a health
33 benefit plan solely because the person applying for or covered by
34 the plan uses or may use in the future any of the services listed in
35 subsection 1.

36 4. Except as *otherwise* provided in subsections 1 and 2, a
37 carrier shall not limit the number of visits an insured may make to
38 any person, entity or group for treatment of autism spectrum
39 disorders.

40 5. Treatment of autism spectrum disorders must be identified in
41 a treatment plan and may include medically necessary habilitative or
42 rehabilitative care, prescription care, psychiatric care, psychological
43 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

44 (a) Prescribed for a person diagnosed with an autism spectrum
45 disorder by a licensed physician or licensed psychologist; and



1 (b) Provided for a person diagnosed with an autism spectrum
2 disorder by a licensed physician, licensed psychologist, licensed
3 behavior analyst or other provider that is supervised by the licensed
4 physician, psychologist or behavior analyst.

5 ↪ A carrier may request a copy of and review a treatment plan
6 created pursuant to this subsection.

7 6. A health benefit plan subject to the provisions of this chapter
8 that is delivered, issued for delivery or renewed on or after
9 January 1, 2011, has the legal effect of including the coverage
10 required by subsection 1, and any provision of the plan or the
11 renewal which is in conflict with subsection 1 or 2 is void.

12 7. Nothing in this section shall be construed as requiring a
13 carrier to provide reimbursement to an early intervention agency or
14 school for services delivered through early intervention or school
15 services.

16 8. As used in this section:

17 (a) "Applied behavior analysis" means the design,
18 implementation and evaluation of environmental modifications
19 using behavioral stimuli and consequences to produce socially
20 significant improvement in human behavior, including, without
21 limitation, the use of direct observation, measurement and
22 functional analysis of the relations between environment and
23 behavior.

24 (b) *"Autism behavior interventionist" means a person who is*
25 *registered as a Registered Behavior Technician or an equivalent*
26 *credential by the Behavior Analyst Certification Board, Inc., or its*
27 *successor organization, and provides behavioral therapy under the*
28 *supervision of:*

29 (1) *A licensed psychologist;*

30 (2) *A licensed behavior analyst; or*

31 (3) *A licensed assistant behavior analyst.*

32 (c) "Autism spectrum disorders" means a neurobiological
33 medical condition including, without limitation, autistic disorder,
34 Asperger's Disorder and Pervasive Developmental Disorder Not
35 Otherwise Specified.

36 ~~{(e)}~~ (d) "Behavioral therapy" means any interactive therapy
37 derived from evidence-based research, including, without limitation,
38 discrete trial training, early intensive behavioral intervention,
39 intensive intervention programs, pivotal response training and
40 verbal behavior provided by a licensed psychologist, licensed
41 behavior analyst, licensed assistant behavior analyst or ~~{certified}~~
42 autism behavior interventionist.

43 ~~{(d)}~~ ~~"Certified autism behavior interventionist" means a person~~
44 ~~who is certified as an autism behavior interventionist by the Board~~



1 ~~of Psychological Examiners and who provides behavior therapy~~
2 ~~under the supervision of:~~

- 3 ~~—— (1) A licensed psychologist;~~
4 ~~—— (2) A licensed behavior analyst; or~~
5 ~~—— (3) A licensed assistant behavior analyst.]~~

6 (e) “Evidence-based research” means research that applies
7 rigorous, systematic and objective procedures to obtain valid
8 knowledge relevant to autism spectrum disorders.

9 (f) “Habilitative or rehabilitative care” means counseling,
10 guidance and professional services and treatment programs,
11 including, without limitation, applied behavior analysis, that are
12 necessary to develop, maintain and restore, to the maximum extent
13 practicable, the functioning of a person.

14 (g) “Licensed assistant behavior analyst” means a person who
15 holds current certification or meets the standards to be certified as a
16 board certified assistant behavior analyst issued by the Behavior
17 Analyst Certification Board, Inc., or any successor in interest to that
18 organization, who is licensed as an assistant behavior analyst by the
19 Board of Psychological Examiners and who provides behavioral
20 therapy under the supervision of a licensed behavior analyst or
21 psychologist.

22 (h) “Licensed behavior analyst” means a person who holds
23 current certification or meets the standards to be certified as a board
24 certified behavior analyst or a board certified assistant behavior
25 analyst issued by the Behavior Analyst Certification Board, Inc., or
26 any successor in interest to that organization and who is licensed as
27 a behavior analyst by the Board of Psychological Examiners.

28 (i) “Prescription care” means medications prescribed by a
29 licensed physician and any health-related services deemed medically
30 necessary to determine the need or effectiveness of the medications.

31 (j) “Psychiatric care” means direct or consultative services
32 provided by a psychiatrist licensed in the state in which the
33 psychiatrist practices.

34 (k) “Psychological care” means direct or consultative services
35 provided by a psychologist licensed in the state in which the
36 psychologist practices.

37 (l) “Screening for autism spectrum disorders” means medically
38 necessary assessments, evaluations or tests to screen and diagnose
39 whether a person has an autism spectrum disorder.

40 (m) “Therapeutic care” means services provided by licensed or
41 certified speech pathologists, occupational therapists and physical
42 therapists.

43 (n) “Treatment plan” means a plan to treat an autism spectrum
44 disorder that is prescribed by a licensed physician or licensed



1 psychologist and may be developed pursuant to a comprehensive
2 evaluation in coordination with a licensed behavior analyst.

3 **Sec. 19.** NRS 689C.1655 is hereby amended to read as
4 follows:

5 689C.1655 1. A health benefit plan must provide coverage
6 for screening for and diagnosis of autism spectrum disorders and for
7 treatment of autism spectrum disorders to persons covered by the
8 health benefit plan under the age of 18 years or, if enrolled in high
9 school, until the person reaches the age of 22 years.

10 2. Coverage provided under this section is subject to:

11 (a) A maximum benefit of ~~1336,000~~ *the actuarial equivalent of*
12 *\$72,000* per year for applied behavior analysis treatment; and

13 (b) Copayment, deductible and coinsurance provisions and any
14 other general exclusion or limitation of a health benefit plan to the
15 same extent as other medical services or prescription drugs covered
16 by the plan.

17 3. A health benefit plan that offers or issues a policy of group
18 health insurance which provides coverage for outpatient care shall
19 not:

20 (a) Require an insured to pay a higher deductible, copayment or
21 coinsurance or require a longer waiting period for coverage for
22 outpatient care related to autism spectrum disorders than is required
23 for other outpatient care covered by the plan; or

24 (b) Refuse to issue a health benefit plan or cancel a health
25 benefit plan solely because the person applying for or covered by
26 the plan uses or may use in the future any of the services listed in
27 subsection 1.

28 4. Except as otherwise provided in subsections 1 and 2, a
29 carrier shall not limit the number of visits an insured may make to
30 any person, entity or group for treatment of autism spectrum
31 disorders.

32 5. Treatment of autism spectrum disorders must be identified in
33 a treatment plan and may include medically necessary habilitative or
34 rehabilitative care, prescription care, psychiatric care, psychological
35 care, behavioral therapy or therapeutic care that is:

36 (a) Prescribed for a person diagnosed with an autism spectrum
37 disorder by a licensed physician or licensed psychologist; and

38 (b) Provided for a person diagnosed with an autism spectrum
39 disorder by a licensed physician, licensed psychologist, licensed
40 behavior analyst or other provider that is supervised by the licensed
41 physician, psychologist or behavior analyst.

42 ↪ A carrier may request a copy of and review a treatment plan
43 created pursuant to this subsection.

44 6. A health benefit plan subject to the provisions of this chapter
45 that is delivered, issued for delivery or renewed on or after



1 January 1, 2011, has the legal effect of including the coverage
2 required by subsection 1, and any provision of the plan or the
3 renewal which is in conflict with subsection 1 or 2 is void.

4 7. Nothing in this section shall be construed as requiring a
5 carrier to provide reimbursement to an early intervention agency or
6 school for services delivered through early intervention or school
7 services.

8 8. As used in this section:

9 (a) "Applied behavior analysis" means the design,
10 implementation and evaluation of environmental modifications
11 using behavioral stimuli and consequences to produce socially
12 significant improvement in human behavior, including, without
13 limitation, the use of direct observation, measurement and
14 functional analysis of the relations between environment and
15 behavior.

16 (b) "Autism behavior interventionist" means a person who is
17 registered as a Registered Behavior Technician or an equivalent
18 credential by the Behavior Analyst Certification Board, Inc., or its
19 successor organization, and provides behavioral therapy under the
20 supervision of:

- 21 (1) A licensed psychologist;
- 22 (2) A licensed behavior analyst; or
- 23 (3) A licensed assistant behavior analyst.

24 (c) "Autism spectrum disorders" means a neurobiological
25 medical condition including, without limitation, autistic disorder,
26 Asperger's Disorder and Pervasive Developmental Disorder Not
27 Otherwise Specified.

28 (d) "Behavioral therapy" means any interactive therapy derived
29 from evidence-based research, including, without limitation, discrete
30 trial training, early intensive behavioral intervention, intensive
31 intervention programs, pivotal response training and verbal behavior
32 provided by a licensed psychologist, licensed behavior analyst,
33 licensed assistant behavior analyst or autism behavior
34 interventionist.

35 (e) "Evidence-based research" means research that applies
36 rigorous, systematic and objective procedures to obtain valid
37 knowledge relevant to autism spectrum disorders.

38 (f) "Habilitative or rehabilitative care" means counseling,
39 guidance and professional services and treatment programs,
40 including, without limitation, applied behavior analysis, that are
41 necessary to develop, maintain and restore, to the maximum extent
42 practicable, the functioning of a person.

43 (g) "Licensed assistant behavior analyst" means a person who
44 holds current certification or meets the standards to be certified as a
45 board certified assistant behavior analyst issued by the Behavior



1 Analyst Certification Board, Inc., or any successor in interest to that
2 organization, who is licensed as an assistant behavior analyst by the
3 Board of Psychological Examiners and who provides behavioral
4 therapy under the supervision of a licensed behavior analyst or
5 psychologist.

6 (h) "Licensed behavior analyst" means a person who holds
7 current certification or meets the standards to be certified as a board
8 certified behavior analyst or a board certified assistant behavior
9 analyst issued by the Behavior Analyst Certification Board, Inc., or
10 any successor in interest to that organization and who is licensed as
11 a behavior analyst by the Board of Psychological Examiners.

12 (i) "Prescription care" means medications prescribed by a
13 licensed physician and any health-related services deemed medically
14 necessary to determine the need or effectiveness of the medications.

15 (j) "Psychiatric care" means direct or consultative services
16 provided by a psychiatrist licensed in the state in which the
17 psychiatrist practices.

18 (k) "Psychological care" means direct or consultative services
19 provided by a psychologist licensed in the state in which the
20 psychologist practices.

21 (l) "Screening for autism spectrum disorders" means medically
22 necessary assessments, evaluations or tests to screen and diagnose
23 whether a person has an autism spectrum disorder.

24 (m) "Therapeutic care" means services provided by licensed or
25 certified speech pathologists, occupational therapists and physical
26 therapists.

27 (n) "Treatment plan" means a plan to treat an autism spectrum
28 disorder that is prescribed by a licensed physician or licensed
29 psychologist and may be developed pursuant to a comprehensive
30 evaluation in coordination with a licensed behavior analyst.

31 **Sec. 20.** NRS 695C.1717 is hereby amended to read as
32 follows:

33 695C.1717 1. A health care plan issued by a health
34 maintenance organization must provide coverage for screening for
35 and diagnosis of autism spectrum disorders and for treatment of
36 autism spectrum disorders to persons covered by the health care
37 plan under the age of 18 *years* or, if enrolled in high school, until
38 the person reaches the age of 22 *½ years*.

39 2. Coverage provided under this section is subject to:

40 (a) A maximum benefit of \$36,000 per year for applied behavior
41 analysis treatment; and

42 (b) Copayment, deductible and coinsurance provisions and any
43 other general exclusion or limitation of a health care plan to the
44 same extent as other medical services or prescription drugs covered
45 by the plan.



1 3. A health care plan issued by a health maintenance
2 organization that provides coverage for outpatient care shall not:

3 (a) Require an enrollee to pay a higher deductible, copayment or
4 coinsurance or require a longer waiting period for coverage for
5 outpatient care related to autism spectrum disorders than is required
6 for other outpatient care covered by the plan; or

7 (b) Refuse to issue a health care plan or cancel a health care plan
8 solely because the person applying for or covered by the plan uses
9 or may use in the future any of the services listed in subsection 1.

10 4. Except as *otherwise* provided in subsections 1 and 2, a
11 health maintenance organization shall not limit the number of visits
12 an enrollee may make to any person, entity or group for treatment of
13 autism spectrum disorders.

14 5. Treatment of autism spectrum disorders must be identified in
15 a treatment plan and may include medically necessary habilitative or
16 rehabilitative care, prescription care, psychiatric care, psychological
17 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

18 (a) Prescribed for a person diagnosed with an autism spectrum
19 disorder by a licensed physician or licensed psychologist; and

20 (b) Provided for a person diagnosed with an autism spectrum
21 disorder by a licensed physician, licensed psychologist, licensed
22 behavior analyst or other provider that is supervised by the licensed
23 physician, psychologist or behavior analyst.

24 ↪ A health maintenance organization may request a copy of and
25 review a treatment plan created pursuant to this subsection.

26 6. Evidence of coverage subject to the provisions of this
27 chapter that is delivered, issued for delivery or renewed on or after
28 January 1, 2011, has the legal effect of including the coverage
29 required by subsection 1, and any provision of the evidence of
30 coverage or the renewal which is in conflict with subsection 1 or 2 is
31 void.

32 7. Nothing in this section shall be construed as requiring a
33 health maintenance organization to provide reimbursement to an
34 early intervention agency or school for services delivered through
35 early intervention or school services.

36 8. As used in this section:

37 (a) "Applied behavior analysis" means the design,
38 implementation and evaluation of environmental modifications
39 using behavioral stimuli and consequences to produce socially
40 significant improvement in human behavior, including, without
41 limitation, the use of direct observation, measurement and
42 functional analysis of the relations between environment and
43 behavior.

44 (b) "*Autism behavior interventionist*" means a person who is
45 *registered as a Registered Behavior Technician or an equivalent*



1 *credential by the Behavior Analyst Certification Board, Inc., or its*
2 *successor organization, and provides behavioral therapy under the*
3 *supervision of:*

4 (1) *A licensed psychologist;*

5 (2) *A licensed behavior analyst; or*

6 (3) *A licensed assistant behavior analyst.*

7 (c) "Autism spectrum disorders" means a neurobiological
8 medical condition including, without limitation, autistic disorder,
9 Asperger's Disorder and Pervasive Developmental Disorder Not
10 Otherwise Specified.

11 ~~(e)~~ (d) "Behavioral therapy" means any interactive therapy
12 derived from evidence-based research, including, without limitation,
13 discrete trial training, early intensive behavioral intervention,
14 intensive intervention programs, pivotal response training and
15 verbal behavior provided by a licensed psychologist, licensed
16 behavior analyst, licensed assistant behavior analyst or ~~certified~~
17 autism behavior interventionist.

18 ~~(d) "Certified autism behavior interventionist" means a person~~
19 ~~who is certified as an autism behavior interventionist by the Board~~
20 ~~of Psychological Examiners and who provides behavior therapy~~
21 ~~under the supervision of:~~

22 ~~— (1) A licensed psychologist;~~

23 ~~— (2) A licensed behavior analyst; or~~

24 ~~— (3) A licensed assistant behavior analyst.]~~

25 (e) "Evidence-based research" means research that applies
26 rigorous, systematic and objective procedures to obtain valid
27 knowledge relevant to autism spectrum disorders.

28 (f) "Habilitative or rehabilitative care" means counseling,
29 guidance and professional services and treatment programs,
30 including, without limitation, applied behavior analysis, that are
31 necessary to develop, maintain and restore, to the maximum extent
32 practicable, the functioning of a person.

33 (g) "Licensed assistant behavior analyst" means a person who
34 holds current certification or meets the standards to be certified as a
35 board certified assistant behavior analyst issued by the Behavior
36 Analyst Certification Board, Inc., or any successor in interest to that
37 organization, who is licensed as an assistant behavior analyst by the
38 Board of Psychological Examiners and who provides behavioral
39 therapy under the supervision of a licensed behavior analyst or
40 psychologist.

41 (h) "Licensed behavior analyst" means a person who holds
42 current certification or meets the standards to be certified as a board
43 certified behavior analyst or a board certified assistant behavior
44 analyst issued by the Behavior Analyst Certification Board, Inc., or



1 any successor in interest to that organization and who is licensed as
2 a behavior analyst by the Board of Psychological Examiners.

3 (i) "Prescription care" means medications prescribed by a
4 licensed physician and any health-related services deemed medically
5 necessary to determine the need or effectiveness of the medications.

6 (j) "Psychiatric care" means direct or consultative services
7 provided by a psychiatrist licensed in the state in which the
8 psychiatrist practices.

9 (k) "Psychological care" means direct or consultative services
10 provided by a psychologist licensed in the state in which the
11 psychologist practices.

12 (l) "Screening for autism spectrum disorders" means medically
13 necessary assessments, evaluations or tests to screen and diagnose
14 whether a person has an autism spectrum disorder.

15 (m) "Therapeutic care" means services provided by licensed or
16 certified speech pathologists, occupational therapists and physical
17 therapists.

18 (n) "Treatment plan" means a plan to treat an autism spectrum
19 disorder that is prescribed by a licensed physician or licensed
20 psychologist and may be developed pursuant to a comprehensive
21 evaluation in coordination with a licensed behavior analyst.

22 **Sec. 21.** NRS 695C.1717 is hereby amended to read as
23 follows:

24 695C.1717 1. A health care plan issued by a health
25 maintenance organization must provide coverage for screening for
26 and diagnosis of autism spectrum disorders and for treatment of
27 autism spectrum disorders to persons covered by the health care
28 plan under the age of 18 years or, if enrolled in high school, until the
29 person reaches the age of 22 years.

30 2. Coverage provided under this section is subject to:

31 (a) A maximum benefit of ~~1~~~~336,000~~ *the actuarial equivalent of*
32 *\$72,000* per year for applied behavior analysis treatment; and

33 (b) Copayment, deductible and coinsurance provisions and any
34 other general exclusion or limitation of a health care plan to the
35 same extent as other medical services or prescription drugs covered
36 by the plan.

37 3. A health care plan issued by a health maintenance
38 organization that provides coverage for outpatient care shall not:

39 (a) Require an enrollee to pay a higher deductible, copayment or
40 coinsurance or require a longer waiting period for coverage for
41 outpatient care related to autism spectrum disorders than is required
42 for other outpatient care covered by the plan; or

43 (b) Refuse to issue a health care plan or cancel a health care plan
44 solely because the person applying for or covered by the plan uses
45 or may use in the future any of the services listed in subsection 1.



1 4. Except as otherwise provided in subsections 1 and 2, a
2 health maintenance organization shall not limit the number of visits
3 an enrollee may make to any person, entity or group for treatment of
4 autism spectrum disorders.

5 5. Treatment of autism spectrum disorders must be identified in
6 a treatment plan and may include medically necessary habilitative or
7 rehabilitative care, prescription care, psychiatric care, psychological
8 care, behavioral therapy or therapeutic care that is:

9 (a) Prescribed for a person diagnosed with an autism spectrum
10 disorder by a licensed physician or licensed psychologist; and

11 (b) Provided for a person diagnosed with an autism spectrum
12 disorder by a licensed physician, licensed psychologist, licensed
13 behavior analyst or other provider that is supervised by the licensed
14 physician, psychologist or behavior analyst.

15 ➤ A health maintenance organization may request a copy of and
16 review a treatment plan created pursuant to this subsection.

17 6. Evidence of coverage subject to the provisions of this
18 chapter that is delivered, issued for delivery or renewed on or after
19 January 1, 2011, has the legal effect of including the coverage
20 required by subsection 1, and any provision of the evidence of
21 coverage or the renewal which is in conflict with subsection 1 or 2 is
22 void.

23 7. Nothing in this section shall be construed as requiring a
24 health maintenance organization to provide reimbursement to an
25 early intervention agency or school for services delivered through
26 early intervention or school services.

27 8. As used in this section:

28 (a) "Applied behavior analysis" means the design,
29 implementation and evaluation of environmental modifications
30 using behavioral stimuli and consequences to produce socially
31 significant improvement in human behavior, including, without
32 limitation, the use of direct observation, measurement and
33 functional analysis of the relations between environment and
34 behavior.

35 (b) "Autism behavior interventionist" means a person who is
36 registered as a Registered Behavior Technician or an equivalent
37 credential by the Behavior Analyst Certification Board, Inc., or its
38 successor organization, and provides behavioral therapy under the
39 supervision of:

40 (1) A licensed psychologist;

41 (2) A licensed behavior analyst; or

42 (3) A licensed assistant behavior analyst.

43 (c) "Autism spectrum disorders" means a neurobiological
44 medical condition including, without limitation, autistic disorder,



* A B 6 R 1 *

1 Asperger’s Disorder and Pervasive Developmental Disorder Not
2 Otherwise Specified.

3 (d) “Behavioral therapy” means any interactive therapy derived
4 from evidence-based research, including, without limitation, discrete
5 trial training, early intensive behavioral intervention, intensive
6 intervention programs, pivotal response training and verbal behavior
7 provided by a licensed psychologist, licensed behavior analyst,
8 licensed assistant behavior analyst or autism behavior
9 interventionist.

10 (e) “Evidence-based research” means research that applies
11 rigorous, systematic and objective procedures to obtain valid
12 knowledge relevant to autism spectrum disorders.

13 (f) “Habilitative or rehabilitative care” means counseling,
14 guidance and professional services and treatment programs,
15 including, without limitation, applied behavior analysis, that are
16 necessary to develop, maintain and restore, to the maximum extent
17 practicable, the functioning of a person.

18 (g) “Licensed assistant behavior analyst” means a person who
19 holds current certification or meets the standards to be certified as a
20 board certified assistant behavior analyst issued by the Behavior
21 Analyst Certification Board, Inc., or any successor in interest to that
22 organization, who is licensed as an assistant behavior analyst by the
23 Board of Psychological Examiners and who provides behavioral
24 therapy under the supervision of a licensed behavior analyst or
25 psychologist.

26 (h) “Licensed behavior analyst” means a person who holds
27 current certification or meets the standards to be certified as a board
28 certified behavior analyst or a board certified assistant behavior
29 analyst issued by the Behavior Analyst Certification Board, Inc., or
30 any successor in interest to that organization and who is licensed as
31 a behavior analyst by the Board of Psychological Examiners.

32 (i) “Prescription care” means medications prescribed by a
33 licensed physician and any health-related services deemed medically
34 necessary to determine the need or effectiveness of the medications.

35 (j) “Psychiatric care” means direct or consultative services
36 provided by a psychiatrist licensed in the state in which the
37 psychiatrist practices.

38 (k) “Psychological care” means direct or consultative services
39 provided by a psychologist licensed in the state in which the
40 psychologist practices.

41 (l) “Screening for autism spectrum disorders” means medically
42 necessary assessments, evaluations or tests to screen and diagnose
43 whether a person has an autism spectrum disorder.



1 (m) "Therapeutic care" means services provided by licensed or
2 certified speech pathologists, occupational therapists and physical
3 therapists.

4 (n) "Treatment plan" means a plan to treat an autism spectrum
5 disorder that is prescribed by a licensed physician or licensed
6 psychologist and may be developed pursuant to a comprehensive
7 evaluation in coordination with a licensed behavior analyst.

8 **Sec. 22.** NRS 695G.1645 is hereby amended to read as
9 follows:

10 695G.1645 1. A health care plan issued by a managed care
11 organization for group coverage must provide coverage for
12 screening for and diagnosis of autism spectrum disorders and for
13 treatment of autism spectrum disorders to persons covered by the
14 health care plan under the age of 18 *years* or, if enrolled in high
15 school, until the person reaches the age of 22 ~~H~~ *years*.

16 2. A health care plan issued by a managed care organization
17 for individual coverage must provide an option for coverage for
18 screening for and diagnosis of autism spectrum disorders and for
19 treatment of autism spectrum disorders to persons covered by the
20 health care plan under the age of 18 *years* or, if enrolled in high
21 school, until the person reaches the age of 22 ~~H~~ *years*.

22 3. Coverage provided under this section is subject to:

23 (a) A maximum benefit of \$36,000 per year for applied behavior
24 analysis treatment; and

25 (b) Copayment, deductible and coinsurance provisions and any
26 other general exclusion or limitation of a health care plan to the
27 same extent as other medical services or prescription drugs covered
28 by the plan.

29 4. A managed care organization that offers or issues a health
30 care plan which provides coverage for outpatient care shall not:

31 (a) Require an insured to pay a higher deductible, copayment or
32 coinsurance or require a longer waiting period for coverage for
33 outpatient care related to autism spectrum disorders than is required
34 for other outpatient care covered by the plan; or

35 (b) Refuse to issue a health care plan or cancel a health care plan
36 solely because the person applying for or covered by the plan uses
37 or may use in the future any of the services listed in subsection 1.

38 5. Except as *otherwise* provided in subsections 1, 2 and 3, a
39 managed care organization shall not limit the number of visits an
40 insured may make to any person, entity or group for treatment of
41 autism spectrum disorders.

42 6. Treatment of autism spectrum disorders must be identified in
43 a treatment plan and may include medically necessary habilitative or
44 rehabilitative care, prescription care, psychiatric care, psychological
45 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:



1 (a) Prescribed for a person diagnosed with an autism spectrum
2 disorder by a licensed physician or licensed psychologist; and

3 (b) Provided for a person diagnosed with an autism spectrum
4 disorder by a licensed physician, licensed psychologist, licensed
5 behavior analyst or other provider that is supervised by the licensed
6 physician, psychologist or behavior analyst.

7 **↳** A managed care organization may request a copy of and review a
8 treatment plan created pursuant to this subsection.

9 7. An evidence of coverage subject to the provisions of this
10 chapter that is delivered, issued for delivery or renewed on or after
11 January 1, 2011, has the legal effect of including the coverage
12 required by subsection 1, and any provision of the evidence of
13 coverage or the renewal which is in conflict with subsection 1 or 3 is
14 void.

15 8. Nothing in this section shall be construed as requiring a
16 managed care organization to provide reimbursement to an early
17 intervention agency or school for services delivered through early
18 intervention or school services.

19 9. As used in this section:

20 (a) “Applied behavior analysis” means the design,
21 implementation and evaluation of environmental modifications
22 using behavioral stimuli and consequences to produce socially
23 significant improvement in human behavior, including, without
24 limitation, the use of direct observation, measurement and
25 functional analysis of the relations between environment and
26 behavior.

27 (b) *“Autism behavior interventionist” means a person who is*
28 *registered as a Registered Behavior Technician or an equivalent*
29 *credential by the Behavior Analyst Certification Board, Inc., or its*
30 *successor organization, and provides behavioral therapy under the*
31 *supervision of:*

32 (1) *A licensed psychologist;*

33 (2) *A licensed behavior analyst; or*

34 (3) *A licensed assistant behavior analyst.*

35 (c) “Autism spectrum disorders” means a neurobiological
36 medical condition including, without limitation, autistic disorder,
37 Asperger’s Disorder and Pervasive Developmental Disorder Not
38 Otherwise Specified.

39 ~~(e)~~ (d) “Behavioral therapy” means any interactive therapy
40 derived from evidence-based research, including, without limitation,
41 discrete trial training, early intensive behavioral intervention,
42 intensive intervention programs, pivotal response training and
43 verbal behavior provided by a licensed psychologist, licensed
44 behavior analyst, licensed assistant behavior analyst or ~~certified~~
45 autism behavior interventionist.



1 ~~[(d) “Certified autism behavior interventionist” means a person~~
2 ~~who is certified as an autism behavior interventionist by the Board~~
3 ~~of Psychological Examiners and who provides behavior therapy~~
4 ~~under the supervision of:~~

- 5 ~~— (1) A licensed psychologist;~~
6 ~~— (2) A licensed behavior analyst; or~~
7 ~~— (3) A licensed assistant behavior analyst.]~~

8 (e) “Evidence-based research” means research that applies
9 rigorous, systematic and objective procedures to obtain valid
10 knowledge relevant to autism spectrum disorders.

11 (f) “Habilitative or rehabilitative care” means counseling,
12 guidance and professional services and treatment programs,
13 including, without limitation, applied behavior analysis, that are
14 necessary to develop, maintain and restore, to the maximum extent
15 practicable, the functioning of a person.

16 (g) “Licensed assistant behavior analyst” means a person who
17 holds current certification or meets the standards to be certified as a
18 board certified assistant behavior analyst issued by the Behavior
19 Analyst Certification Board, Inc., or any successor in interest to that
20 organization, who is licensed as an assistant behavior analyst by the
21 Board of Psychological Examiners and who provides behavioral
22 therapy under the supervision of a licensed behavior analyst or
23 psychologist.

24 (h) “Licensed behavior analyst” means a person who holds
25 current certification or meets the standards to be certified as a board
26 certified behavior analyst or a board certified assistant behavior
27 analyst issued by the Behavior Analyst Certification Board, Inc., or
28 any successor in interest to that organization and who is licensed as
29 a behavior analyst by the Board of Psychological Examiners.

30 (i) “Prescription care” means medications prescribed by a
31 licensed physician and any health-related services deemed medically
32 necessary to determine the need or effectiveness of the medications.

33 (j) “Psychiatric care” means direct or consultative services
34 provided by a psychiatrist licensed in the state in which the
35 psychiatrist practices.

36 (k) “Psychological care” means direct or consultative services
37 provided by a psychologist licensed in the state in which the
38 psychologist practices.

39 (l) “Screening for autism spectrum disorders” means medically
40 necessary assessments, evaluations or tests to screen and diagnose
41 whether a person has an autism spectrum disorder.

42 (m) “Therapeutic care” means services provided by licensed or
43 certified speech pathologists, occupational therapists and physical
44 therapists.



1 (n) "Treatment plan" means a plan to treat an autism spectrum
2 disorder that is prescribed by a licensed physician or licensed
3 psychologist and may be developed pursuant to a comprehensive
4 evaluation in coordination with a licensed behavior analyst.

5 **Sec. 23.** NRS 695G.1645 is hereby amended to read as
6 follows:

7 695G.1645 1. A health care plan issued by a managed care
8 organization for group coverage must provide coverage for
9 screening for and diagnosis of autism spectrum disorders and for
10 treatment of autism spectrum disorders to persons covered by the
11 health care plan under the age of 18 years or, if enrolled in high
12 school, until the person reaches the age of 22 years.

13 2. A health care plan issued by a managed care organization
14 for individual coverage must provide an option for coverage for
15 screening for and diagnosis of autism spectrum disorders and for
16 treatment of autism spectrum disorders to persons covered by the
17 health care plan under the age of 18 years or, if enrolled in high
18 school, until the person reaches the age of 22 years.

19 3. Coverage provided under this section is subject to:

20 (a) A maximum benefit of ~~[\$36,000]~~ *the actuarial equivalent of*
21 *\$72,000* per year for applied behavior analysis treatment; and

22 (b) Copayment, deductible and coinsurance provisions and any
23 other general exclusion or limitation of a health care plan to the
24 same extent as other medical services or prescription drugs covered
25 by the plan.

26 4. A managed care organization that offers or issues a health
27 care plan which provides coverage for outpatient care shall not:

28 (a) Require an insured to pay a higher deductible, copayment or
29 coinsurance or require a longer waiting period for coverage for
30 outpatient care related to autism spectrum disorders than is required
31 for other outpatient care covered by the plan; or

32 (b) Refuse to issue a health care plan or cancel a health care plan
33 solely because the person applying for or covered by the plan uses
34 or may use in the future any of the services listed in subsection 1.

35 5. Except as otherwise provided in subsections 1, 2 and 3, a
36 managed care organization shall not limit the number of visits an
37 insured may make to any person, entity or group for treatment of
38 autism spectrum disorders.

39 6. Treatment of autism spectrum disorders must be identified in
40 a treatment plan and may include medically necessary habilitative or
41 rehabilitative care, prescription care, psychiatric care, psychological
42 care, behavioral therapy or therapeutic care that is:

43 (a) Prescribed for a person diagnosed with an autism spectrum
44 disorder by a licensed physician or licensed psychologist; and



1 (b) Provided for a person diagnosed with an autism spectrum
2 disorder by a licensed physician, licensed psychologist, licensed
3 behavior analyst or other provider that is supervised by the licensed
4 physician, psychologist or behavior analyst.

5 ↪ A managed care organization may request a copy of and review a
6 treatment plan created pursuant to this subsection.

7 7. An evidence of coverage subject to the provisions of this
8 chapter that is delivered, issued for delivery or renewed on or after
9 January 1, 2011, has the legal effect of including the coverage
10 required by subsection 1, and any provision of the evidence of
11 coverage or the renewal which is in conflict with subsection 1 or 3 is
12 void.

13 8. Nothing in this section shall be construed as requiring a
14 managed care organization to provide reimbursement to an early
15 intervention agency or school for services delivered through early
16 intervention or school services.

17 9. As used in this section:

18 (a) "Applied behavior analysis" means the design,
19 implementation and evaluation of environmental modifications
20 using behavioral stimuli and consequences to produce socially
21 significant improvement in human behavior, including, without
22 limitation, the use of direct observation, measurement and
23 functional analysis of the relations between environment and
24 behavior.

25 (b) "Autism behavior interventionist" means a person who is
26 registered as a Registered Behavior Technician or an equivalent
27 credential by the Behavior Analyst Certification Board, Inc., or its
28 successor organization, and provides behavioral therapy under the
29 supervision of:

- 30 (1) A licensed psychologist;
31 (2) A licensed behavior analyst; or
32 (3) A licensed assistant behavior analyst.

33 (c) "Autism spectrum disorders" means a neurobiological
34 medical condition including, without limitation, autistic disorder,
35 Asperger's Disorder and Pervasive Developmental Disorder Not
36 Otherwise Specified.

37 (d) "Behavioral therapy" means any interactive therapy derived
38 from evidence-based research, including, without limitation, discrete
39 trial training, early intensive behavioral intervention, intensive
40 intervention programs, pivotal response training and verbal behavior
41 provided by a licensed psychologist, licensed behavior analyst,
42 licensed assistant behavior analyst or autism behavior
43 interventionist.



1 (e) "Evidence-based research" means research that applies
2 rigorous, systematic and objective procedures to obtain valid
3 knowledge relevant to autism spectrum disorders.

4 (f) "Habilitative or rehabilitative care" means counseling,
5 guidance and professional services and treatment programs,
6 including, without limitation, applied behavior analysis, that are
7 necessary to develop, maintain and restore, to the maximum extent
8 practicable, the functioning of a person.

9 (g) "Licensed assistant behavior analyst" means a person who
10 holds current certification or meets the standards to be certified as a
11 board certified assistant behavior analyst issued by the Behavior
12 Analyst Certification Board, Inc., or any successor in interest to that
13 organization, who is licensed as an assistant behavior analyst by the
14 Board of Psychological Examiners and who provides behavioral
15 therapy under the supervision of a licensed behavior analyst or
16 psychologist.

17 (h) "Licensed behavior analyst" means a person who holds
18 current certification or meets the standards to be certified as a board
19 certified behavior analyst or a board certified assistant behavior
20 analyst issued by the Behavior Analyst Certification Board, Inc., or
21 any successor in interest to that organization and who is licensed as
22 a behavior analyst by the Board of Psychological Examiners.

23 (i) "Prescription care" means medications prescribed by a
24 licensed physician and any health-related services deemed medically
25 necessary to determine the need or effectiveness of the medications.

26 (j) "Psychiatric care" means direct or consultative services
27 provided by a psychiatrist licensed in the state in which the
28 psychiatrist practices.

29 (k) "Psychological care" means direct or consultative services
30 provided by a psychologist licensed in the state in which the
31 psychologist practices.

32 (l) "Screening for autism spectrum disorders" means medically
33 necessary assessments, evaluations or tests to screen and diagnose
34 whether a person has an autism spectrum disorder.

35 (m) "Therapeutic care" means services provided by licensed or
36 certified speech pathologists, occupational therapists and physical
37 therapists.

38 (n) "Treatment plan" means a plan to treat an autism spectrum
39 disorder that is prescribed by a licensed physician or licensed
40 psychologist and may be developed pursuant to a comprehensive
41 evaluation in coordination with a licensed behavior analyst.

42 **Sec. 24.** 1. Any regulations adopted by the Board of
43 Psychological Examiners before *the effective date of this section*
44 pursuant to NRS 641.100 or 641.232 are unenforceable with respect
45 to an autism behavior interventionist as of that date.



- 1 2. The Legislative Counsel shall, as soon as practicable after
2 January 1, 2016:
- 3 (a) Remove all of the regulations described in subsection 1 that
4 solely apply to autism behavior interventionists; and
- 5 (b) Remove references to an autism behavior interventionist
6 from all other regulations described in subsection 1.
- 7 3. An autism behavior interventionist who is certified by the
8 Board of Psychological Examiners before the effective date of this
9 section shall be deemed to be registered as a Registered Behavior
10 Technician or an equivalent credential by the Behavior Analyst
11 Certification Board, Inc., until January 1, 2016.
- 12 **Sec. 25.** NRS 641.172 is hereby repealed.
- 13 **Sec. 26.** 1. This section and sections 1 to 12, inclusive, 14,
14 16, 18, 20, 22, 24 and 25 of this act become effective upon passage
15 and approval.
- 16 2. Sections 13, 15, 17, 19, 21 and 23 of this act become
17 effective on January 1, 2017.

TEXT OF REPEALED SECTION

641.172 Qualifications of applicant for certification as autism behavior interventionist; Board to evaluate application and issue statement of determination; contents of statement.

1. Each application for certification as an autism behavior interventionist must be accompanied by evidence satisfactory to the Board that the applicant:

- (a) Is at least 18 years of age.
- (b) Is of good moral character as determined by the Board.
- (c) Is a citizen of the United States, or is lawfully entitled to remain and work in the United States.
- (d) Has completed satisfactorily a written examination in Nevada law and ethical practice as administered by the Board.
- (e) Has completed satisfactorily a standardized practical examination developed and approved by the Board. The examination must be conducted by the applicant's supervisor, who shall make a videotape or other audio and visual recording of the applicant's performance of the examination for submission to the Board. The Board may review the recording as part of its evaluation of the applicant's qualifications.

2. Within 120 days after receiving an application and the accompanying evidence from an applicant, the Board shall:



(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for certification as an autism behavior interventionist; and

(b) Issue a written statement to the applicant of its determination.

3. If the Board determines that the qualifications of the applicant are insufficient for certification, the written statement issued to the applicant pursuant to subsection 2 must include a detailed explanation of the reasons for that determination.



