

2011 -- S 0107

LC00114

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO INSURANCE -- AUTISM SPECTRUM DISORDERS

Introduced By: Senators E O'Neill, Gallo, Metts, Perry, and Paiva Weed

Date Introduced: January 27, 2011

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-71. Mandatory coverage for diagnosis and treatment of autism spectrum**
4 **disorders.** – (a) As used in this section:

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

9 (2) "Autism services provider" means any person, entity, or group that provides treatment
10 of autism spectrum disorders. Where the treatment is applied behavior analysis, the treatment
11 must be provided or supervised by a board certified behavior analyst or a person certified as a
12 behavior analyst under section 6.5.2.3 of the department of human services certification standards
13 for providers of home-based therapeutic services.

14 (3) "Autism spectrum disorders" means any of the pervasive developmental disorders as
15 defined by the most recent edition of the diagnostic and statistical manual of mental disorders
16 (DSM), including autistic disorder, Asperger's disorder, and pervasive developmental disorder not
17 otherwise specified.

18 (4) "Behavioral health treatment" means professional counseling and treatment programs,
19 including applied behavior analysis, that are necessary to develop, maintain, and restore, to the

1 maximum extent practicable, the functioning of an individual.

2 (5) "Diagnosis of autism spectrum disorders" means medically necessary assessment,
3 evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.

4 (6) "Health insurance policy" means any group health policy or contract issued by an
5 insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.

6 (7) "Medically necessary" means reasonably expected to do the following:

7 (i) Prevent the onset of an illness, condition, injury or disability;

8 (ii) Reduce or ameliorate the physical, mental or developmental effects of an illness,
9 condition, injury or disability; or

10 (iii) Assist to achieve or maintain maximum functional capacity in performing daily
11 activities, taking into account both the functional capacity of the individual and the functional
12 capacities that are appropriate for individuals of the same age.

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

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

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

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

22 (12) "Treatment for autism spectrum disorders" means the following care, including
23 related equipment, prescribed or ordered for an individual diagnosed with one of the autism
24 spectrum disorders by a licensed physician or a licensed psychologist who determines the care to
25 be medically necessary:

26 (i) Behavioral health treatment;

27 (ii) Pharmacy care;

28 (iii) Psychiatric care;

29 (iv) Psychological care;

30 (v) Therapeutic care;

31 (vi) Any other care for individuals with autism spectrum disorders that a licensed
32 physician determines based upon best practices or evidence-based research, to be medically
33 necessary and appropriate for the individual patient.

34 (b)(1) Every individual or group health insurance contract, plan, or policy or every

1 individual or group hospital or medical expense insurance policy, plan or group policy, that is
2 delivered, issued for delivery or renewed in this state, or outside this state if insuring Rhode
3 Island residents, on or after January 1, 2012, shall provide coverage for the screening, diagnosis,
4 and treatment of autism spectrum disorders. No insurer shall terminate coverage, or refuse to
5 deliver, execute, issue, amend, adjust, or renew coverage to an individual solely because the
6 individual is diagnosed with one of the autism spectrum disorders or has received treatment for
7 autism spectrum disorders.

8 (2) The coverage required under this section shall not be subject to dollar limits,
9 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,
10 deductibles, or coinsurance provisions that apply to physical illness generally under the health
11 insurance policy.

12 (3) Coverage under this section shall not be subject to any limits on the number or length
13 of visits an individual may make to an autism services provider.

14 (4) Coverage under this section shall not be denied on the basis that the treatment is
15 educational or non-restorative in nature.

16 (5) This section shall not be construed as limiting benefits that are otherwise available to
17 an individual under a health insurance policy.

18 (6) A health insurance carrier may require submission of a treatment plan, signed by a
19 licensed physician or licensed psychologist, that includes all elements necessary for the health
20 insurance carriers to appropriately pay claims. These elements include, but are not limited to, a
21 diagnosis; proposed treatment by type, frequency, and duration of treatment; and the physician's
22 or psychologist's statement that the treatment is medically necessary for the patient and is
23 consistent with nationally recognized treatment standards for the condition. Except for inpatient
24 services, if an individual is receiving treatment for an autism spectrum disorder, a health
25 insurance carrier shall have the right to review the treatment plan not more than once a year
26 unless the health insurance carrier and the individual's physician or psychologist agrees, on an
27 individual basis, that a more frequent review is necessary. The cost of obtaining any review shall
28 be borne by the health insurance carrier, and coverage for previously approved treatments shall
29 continue during the review period.

30 (7) Benefits for services under this section shall be reimbursed in accordance with the
31 usual and customary reimbursement mechanisms of each health insurance carrier. Carriers must
32 make medical necessity determinations in a manner consistent with that used to make the
33 determination for the treatment of other diseases or conditions covered under the health insurance
34 policy.

1 (8) Nothing in this section shall be construed to alter any obligation of a school district or
2 the State of Rhode Island to provide services to an individual under an individualized family
3 service plan or an individualized education program, as required under the federal individuals
4 with disabilities education act, or the provision of services to an individual under any other
5 federal or state law.

6 (9) This section shall not apply to insurance coverage providing benefits for:

- 7 (i) Hospital confinement indemnity;
- 8 (ii) Disability income;
- 9 (iii) Accident only;
- 10 (iv) Long-term care;
- 11 (v) Medicare supplement;
- 12 (vi) Limited benefit health;
- 13 (vii) Specified disease indemnity;
- 14 (viii) Sickness or bodily injury or death by accident or both; and
- 15 (ix) Other limited benefit policies.

16 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
17 Corporations" is hereby amended by adding thereto the following section:

18 **27-19-62. Mandatory coverage for diagnosis and treatment of autism spectrum**
19 **disorders. -- (a) As used in this section:**

20 (1) "Applied behavior analysis" means the design, implementation and evaluation of
21 environmental modifications using behavioral stimuli and consequences, to produce socially
22 significant improvements in human behavior, including the use of direct observation,
23 measurement, and functional analysis of the relationship between environment and behavior.

24 (2) "Autism services provider" means any person, entity, or group that provides treatment
25 of autism spectrum disorders. Where the treatment is applied behavior analysis, the treatment
26 must be provided or supervised by a board certified behavior analyst or a person certified as a
27 behavior analyst under section 6.5.2.3 of the department of human services certification standards
28 for providers of home-based therapeutic services.

29 (3) "Autism spectrum disorders" means any of the pervasive developmental disorders as
30 defined by the most recent edition of the diagnostic and statistical manual of mental disorders
31 (DSM), including autistic disorder, Asperger's disorder, and pervasive developmental disorder not
32 otherwise specified.

33 (4) "Behavioral health treatment" means professional counseling and treatment programs,
34 including applied behavior analysis, that are necessary to develop, maintain, and restore, to the

1 maximum extent practicable, the functioning of an individual.

2 (5) "Diagnosis of autism spectrum disorders" means medically necessary assessment,
3 evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.

4 (6) "Health insurance policy" means any group health policy or contract issued by an
5 insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.

6 (7) "Medically necessary" means reasonably expected to do the following:

7 (i) Prevent the onset of an illness, condition, injury or disability;

8 (ii) Reduce or ameliorate the physical, mental or developmental effects of an illness,
9 condition, injury or disability; or

10 (iii) Assist to achieve or maintain maximum functional capacity in performing daily
11 activities, taking into account both the functional capacity of the individual and the functional
12 capacities that are appropriate for individuals of the same age.

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

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

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

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

22 (12) "Treatment for autism spectrum disorders" means the following care, including
23 related equipment, prescribed or ordered for an individual diagnosed with one of the autism
24 spectrum disorders by a licensed physician or a licensed psychologist who determines the care to
25 be medically necessary:

26 (i) Behavioral health treatment;

27 (ii) Pharmacy care;

28 (iii) Psychiatric care;

29 (iv) Psychological care;

30 (v) Therapeutic care;

31 (vi) Any other care for individuals with autism spectrum disorders that a licensed
32 physician determines based upon best practices or evidence-based research, to be medically
33 necessary and appropriate for the individual patient.

34 (b)(1) Every individual or group health insurance contract, plan, or policy or every

1 individual or group hospital or medical expense insurance policy, plan or group policy, that is
2 delivered, issued for delivery or renewed in this state, or outside this state if insuring Rhode
3 Island residents, on or after January 1, 2012, shall provide coverage for the screening, diagnosis,
4 and treatment of autism spectrum disorders. No insurer shall terminate coverage, or refuse to
5 deliver, execute, issue, amend, adjust, or renew coverage to an individual solely because the
6 individual is diagnosed with one of the autism spectrum disorders or has received treatment for
7 autism spectrum disorders.

8 (2) The coverage required under this section shall not be subject to dollar limits,
9 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,
10 deductibles, or coinsurance provisions that apply to physical illness generally under the health
11 insurance policy.

12 (3) Coverage under this section shall not be subject to any limits on the number or length
13 of visits an individual may make to an autism services provider.

14 (4) Coverage under this section shall not be denied on the basis that the treatment is
15 educational or non-restorative in nature.

16 (5) This section shall not be construed as limiting benefits that are otherwise available to
17 an individual under a health insurance policy.

18 (6) A health insurance carrier may require submission of a treatment plan, signed by a
19 licensed physician or licensed psychologist, that includes all elements necessary for the health
20 insurance carriers to appropriately pay claims. These elements include, but are not limited to, a
21 diagnosis; proposed treatment by type, frequency, and duration of treatment; and the physician's
22 or psychologist's statement that the treatment is medically necessary for the patient and is
23 consistent with nationally recognized treatment standards for the condition. Except for inpatient
24 services, f an individual is receiving treatment for an autism spectrum disorder, a health
25 insurance carrier shall have the right to review the treatment plan not more than once a year
26 unless the health insurance carrier and the individual's physician or psychologist agrees, on an
27 individual basis, that a more frequent review is necessary. The cost of obtaining any review shall
28 be borne by the health insurance carrier, and coverage for previously approved treatments shall
29 continue during the review period.

30 (7) Benefits for services under this section shall be reimbursed in accordance with the
31 usual and customary reimbursement mechanisms of each health insurance carrier. Carriers must
32 make medical necessity determinations in a manner consistent with that used to make the
33 determination for the treatment of other diseases or conditions covered under the health insurance
34 policy.

1 (8) Nothing in this section shall be construed to alter any obligation of a school district or
2 the State of Rhode Island to provide services to an individual under an individualized family
3 service plan or an individualized education program, as required under the federal individuals
4 with disabilities education act, or the provision of services to an individual under any other
5 federal or state law.

6 (9) This section shall not apply to insurance coverage providing benefits for:

7 (i) Hospital confinement indemnity;

8 (ii) Disability income;

9 (iii) Accident only;

10 (iv) Long-term care;

11 (v) Medicare supplement;

12 (vi) Limited benefit health;

13 (vii) Specified disease indemnity;

14 (viii) Sickness or bodily injury or death by accident or both; and

15 (ix) Other limited benefit policies.

16 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
17 Corporations" is hereby amended by adding thereto the following section:

18 **27-20-57. Mandatory coverage for diagnosis and treatment of autism spectrum**
19 **disorders. -- (a) As used in this section:**

20 (1) "Applied behavior analysis" means the design, implementation and evaluation of
21 environmental modifications using behavioral stimuli and consequences, to produce socially
22 significant improvements in human behavior, including the use of direct observation,
23 measurement, and functional analysis of the relationship between environment and behavior.

24 (2) "Autism services provider" means any person, entity, or group that provides treatment
25 of autism spectrum disorders. Where the treatment is applied behavior analysis, the treatment
26 must be provided or supervised by a board certified behavior analyst or a person certified as a
27 behavior analyst under section 6.5.2.3 of the department of human services certification standards
28 for providers of home-based therapeutic services.

29 (3) "Autism spectrum disorders" means any of the pervasive developmental disorders as
30 defined by the most recent edition of the diagnostic and statistical manual of mental disorders
31 (DSM), including autistic disorder, Asperger's disorder, and pervasive developmental disorder not
32 otherwise specified.

33 (4) "Behavioral health treatment" means professional counseling and treatment programs,
34 including applied behavior analysis, that are necessary to develop, maintain, and restore, to the

1 maximum extent practicable, the functioning of an individual.

2 (5) "Diagnosis of autism spectrum disorders" means medically necessary assessment,
3 evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.

4 (6) "Health insurance policy" means any group health policy or contract issued by an
5 insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.

6 (7) "Medically necessary" means reasonably expected to do the following:

7 (i) Prevent the onset of an illness, condition, injury or disability;

8 (ii) Reduce or ameliorate the physical, mental or developmental effects of an illness,
9 condition, injury or disability; or

10 (iii) Assist to achieve or maintain maximum functional capacity in performing daily
11 activities, taking into account both the functional capacity of the individual and the functional
12 capacities that are appropriate for individuals of the same age.

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

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

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

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

22 (12) "Treatment for autism spectrum disorders" means the following care, including
23 related equipment, prescribed or ordered for an individual diagnosed with one of the autism
24 spectrum disorders by a licensed physician or a licensed psychologist who determines the care to
25 be medically necessary:

26 (i) Behavioral health treatment;

27 (ii) Pharmacy care;

28 (iii) Psychiatric care;

29 (iv) Psychological care;

30 (v) Therapeutic care;

31 (vi) Any other care for individuals with autism spectrum disorders that a licensed
32 physician determines based upon best practices or evidence-based research, to be medically
33 necessary and appropriate for the individual patient.

34 (b)(1) Every individual or group health insurance contract, plan, or policy or every

1 individual or group hospital or medical expense insurance policy, plan or group policy, that is
2 delivered, issued for delivery or renewed in this state, or outside this state if insuring Rhode
3 Island residents, on or after January 1, 2012, shall provide coverage for the screening, diagnosis,
4 and treatment of autism spectrum disorders. No insurer shall terminate coverage, or refuse to
5 deliver, execute, issue, amend, adjust, or renew coverage to an individual solely because the
6 individual is diagnosed with one of the autism spectrum disorders or has received treatment for
7 autism spectrum disorders.

8 (2) The coverage required under this section shall not be subject to dollar limits,
9 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,
10 deductibles, or coinsurance provisions that apply to physical illness generally under the health
11 insurance policy.

12 (3) Coverage under this section shall not be subject to any limits on the number or length
13 of visits an individual may make to an autism services provider.

14 (4) Coverage under this section shall not be denied on the basis that the treatment is
15 educational or non-restorative in nature.

16 (5) This section shall not be construed as limiting benefits that are otherwise available to
17 an individual under a health insurance policy.

18 (6) A health insurance carrier may require submission of a treatment plan, signed by a
19 licensed physician or licensed psychologist, that includes all elements necessary for the health
20 insurance carriers to appropriately pay claims. These elements include, but are not limited to, a
21 diagnosis; proposed treatment by type, frequency, and duration of treatment; and the physician's
22 or psychologist's statement that the treatment is medically necessary for the patient and is
23 consistent with nationally recognized treatment standards for the condition. Except for inpatient
24 services, if an individual is receiving treatment for an autism spectrum disorder, a health
25 insurance carrier shall have the right to review the treatment plan not more than once a year
26 unless the health insurance carrier and the individual's physician or psychologist agrees, on an
27 individual basis, that a more frequent review is necessary. The cost of obtaining any review shall
28 be borne by the health insurance carrier, and coverage for previously approved treatments shall
29 continue during the review period.

30 (7) Benefits for services under this section shall be reimbursed in accordance with the
31 usual and customary reimbursement mechanisms of each health insurance carrier. Carriers must
32 make medical necessity determinations in a manner consistent with that used to make the
33 determination for the treatment of other diseases or conditions covered under the health insurance
34 policy.

1 (8) Nothing in this section shall be construed to alter any obligation of a school district or
2 the State of Rhode Island to provide services to an individual under an individualized family
3 service plan or an individualized education program, as required under the federal individuals
4 with disabilities education act, or the provision of services to an individual under any other
5 federal or state law.

6 (9) This section shall not apply to insurance coverage providing benefits for:

7 (i) Hospital confinement indemnity;

8 (ii) Disability income;

9 (iii) Accident only;

10 (iv) Long-term care;

11 (v) Medicare supplement;

12 (vi) Limited benefit health;

13 (vii) Specified disease indemnity;

14 (viii) Sickness or bodily injury or death by accident or both; and

15 (ix) Other limited benefit policies.

16 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance
17 Organizations" is hereby amended by adding thereto the following section:

18 **27-41-75. Mandatory coverage for diagnosis and treatment of autism spectrum**
19 **disorders. -- (a) As used in this section:**

20 (1) "Applied behavior analysis" means the design, implementation and evaluation of
21 environmental modifications using behavioral stimuli and consequences, to produce socially
22 significant improvements in human behavior, including the use of direct observation,
23 measurement, and functional analysis of the relationship between environment and behavior.

24 (2) "Autism services provider" means any person, entity, or group that provides treatment
25 of autism spectrum disorders. Where the treatment is applied behavior analysis, the treatment
26 must be provided or supervised by a board certified behavior analyst or a person certified as a
27 behavior analyst under section 6.5.2.3 of the department of human services certification standards
28 for providers of home-based therapeutic services.

29 (3) "Autism spectrum disorders" means any of the pervasive developmental disorders as
30 defined by the most recent edition of the diagnostic and statistical manual of mental disorders
31 (DSM), including autistic disorder, Asperger's disorder, and pervasive developmental disorder not
32 otherwise specified.

33 (4) "Behavioral health treatment" means professional counseling and treatment programs,
34 including applied behavior analysis, that are necessary to develop, maintain, and restore, to the

1 maximum extent practicable, the functioning of an individual.

2 (5) "Diagnosis of autism spectrum disorders" means medically necessary assessment,
3 evaluations, or tests to diagnose whether an individual has one of the autism spectrum disorders.

4 (6) "Health insurance policy" means any group health policy or contract issued by an
5 insurance entity subject to chapters 18, 19, 20 and 41 of title 27 of the general laws.

6 (7) "Medically necessary" means reasonably expected to do the following:

7 (i) Prevent the onset of an illness, condition, injury or disability;

8 (ii) Reduce or ameliorate the physical, mental or developmental effects of an illness,
9 condition, injury or disability; or

10 (iii) Assist to achieve or maintain maximum functional capacity in performing daily
11 activities, taking into account both the functional capacity of the individual and the functional
12 capacities that are appropriate for individuals of the same age.

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

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

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

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

22 (12) "Treatment for autism spectrum disorders" means the following care, including
23 related equipment, prescribed or ordered for an individual diagnosed with one of the autism
24 spectrum disorders by a licensed physician or a licensed psychologist who determines the care to
25 be medically necessary:

26 (i) Behavioral health treatment;

27 (ii) Pharmacy care;

28 (iii) Psychiatric care;

29 (iv) Psychological care;

30 (v) Therapeutic care;

31 (vi) Any other care for individuals with autism spectrum disorders that a licensed
32 physician determines based upon best practices or evidence-based research, to be medically
33 necessary and appropriate for the individual patient.

34 (b)(1) Every individual or group health insurance contract, plan, or policy or every

1 individual or group hospital or medical expense insurance policy, plan or group policy, that is
2 delivered, issued for delivery or renewed in this state, or outside this state if insuring Rhode
3 Island residents, on or after January 1, 2012, shall provide coverage for the screening, diagnosis,
4 and treatment of autism spectrum disorders. No insurer shall terminate coverage, or refuse to
5 deliver, execute, issue, amend, adjust, or renew coverage to an individual solely because the
6 individual is diagnosed with one of the autism spectrum disorders or has received treatment for
7 autism spectrum disorders.

8 (2) The coverage required under this section shall not be subject to dollar limits,
9 deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits,
10 deductibles, or coinsurance provisions that apply to physical illness generally under the health
11 insurance policy.

12 (3) Coverage under this section shall not be subject to any limits on the number or length
13 of visits an individual may make to an autism services provider.

14 (4) Coverage under this section shall not be denied on the basis that the treatment is
15 educational or non-restorative in nature.

16 (5) This section shall not be construed as limiting benefits that are otherwise available to
17 an individual under a health insurance policy.

18 (6) A health insurance carrier may require submission of a treatment plan, signed by a
19 licensed physician or licensed psychologist, that includes all elements necessary for the health
20 insurance carriers to appropriately pay claims. These elements include, but are not limited to, a
21 diagnosis; proposed treatment by type, frequency, and duration of treatment; and the physician's
22 or psychologist's statement that the treatment is medically necessary for the patient and is
23 consistent with nationally recognized treatment standards for the condition. Except for inpatient
24 services, if an individual is receiving treatment for an autism spectrum disorder, a health
25 insurance carrier shall have the right to review the treatment plan not more than once a year
26 unless the health insurance carrier and the individual's physician or psychologist agrees, on an
27 individual basis, that a more frequent review is necessary. The cost of obtaining any review shall
28 be borne by the health insurance carrier, and coverage for previously approved treatments shall
29 continue during the review period.

30 (7) Benefits for services under this section shall be reimbursed in accordance with the
31 usual and customary reimbursement mechanisms of each health insurance carrier. Carriers must
32 make medical necessity determinations in a manner consistent with that used to make the
33 determination for the treatment of other diseases or conditions covered under the health insurance
34 policy.

1 (8) Nothing in this section shall be construed to alter any obligation of a school district or
2 the State of Rhode Island to provide services to an individual under an individualized family
3 service plan or an individualized education program, as required under the federal individuals
4 with disabilities education act, or the provision of services to an individual under any other
5 federal or state law.

6 (9) This section shall not apply to insurance coverage providing benefits for:

- 7 (i) Hospital confinement indemnity;
 - 8 (ii) Disability income;
 - 9 (iii) Accident only;
 - 10 (iv) Long-term care;
 - 11 (v) Medicare supplement;
 - 12 (vi) Limited benefit health;
 - 13 (vii) Specified disease indemnity;
 - 14 (viii) Sickness or bodily injury or death by accident or both; and
 - 15 (ix) Other limited benefit policies.
- 16 plans offered outside the Exchange.

17 SECTION 5. To the extent that this act requires benefits that exceed the essential health
18 benefits specified under section 1302(b) of the patient protection and affordable care act, it shall
19 not apply to a qualified health plan when the plan is offered in Rhode Island through the state
20 exchange by a health center. Nothing in this paragraph shall nullify application of this section to
21 plans offered outside the state exchange.

22 SECTION 6. This act shall take effect upon passage.

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LC00114
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE -- AUTISM SPECTRUM DISORDERS

1 This act would require that health insurance contracts and plans issued or renewed in
2 Rhode Island on or after January 1, 2012, provide coverage for the screening, diagnosis, and
3 treatment of autism spectrum disorders.

4 This act would take effect upon passage.

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