

REFERENCE TITLE: autism spectrum disorder; insurance coverage

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

## **SB 1322**

Introduced by  
Senators Miranda: Pierce, Ward

AN ACT

AMENDING SECTIONS 20-826.04, 20-1057.11, 20-1402.03 AND 20-1404.03, ARIZONA  
REVISED STATUTES; RELATING TO AUTISM SPECTRUM DISORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 20-826.04, Arizona Revised Statutes, is amended to  
3 read:  
4 20-826.04. Subscription contracts; autism spectrum disorder;  
5 coverage; exceptions; definitions  
6 A. A hospital service corporation or medical service corporation shall  
7 not:  
8 1. Exclude or deny coverage for a treatment or impose dollar limits,  
9 deductibles and coinsurance provisions based solely on the diagnosis of  
10 autism spectrum disorder. For the purposes of this paragraph, "treatment"  
11 includes diagnosis, assessment and services.  
12 2. Exclude or deny coverage for medically necessary behavioral therapy  
13 services. To be eligible for coverage, behavioral therapy services shall be  
14 provided or supervised by a licensed or certified provider.  
15 B. This section does not:  
16 ~~1. Apply to a subscription contract that is issued to an individual or~~  
17 ~~a small employer.~~  
18 ~~2.~~ 1. Apply to limited benefit coverage as defined in section  
19 20-1137.  
20 ~~3.~~ 2. Require coverage for services provided outside of this state.  
21 C. The coverage required by this section is subject to all the terms  
22 and conditions of the subscription contract. Nothing in this section  
23 prevents a corporation from imposing deductibles, coinsurance or other cost  
24 sharing in relation to the coverage required by this section.  
25 ~~D. Coverage for behavioral therapy is subject to:~~  
26 ~~1. A fifty thousand dollar maximum benefit per year for an eligible~~  
27 ~~person up to the age of nine.~~  
28 ~~2. A twenty five thousand dollar maximum benefit per year for an~~  
29 ~~eligible person who is between the ages of nine and sixteen.~~  
30 ~~E.~~ D. For the purposes of this section:  
31 1. "Autism spectrum disorder" means one of the three following  
32 disorders as defined in the most recent edition of the diagnostic and  
33 statistical manual of mental disorders of the American psychiatric  
34 association:  
35 (a) Autistic disorder.  
36 (b) Asperger's syndrome.  
37 (c) Pervasive developmental disorder - not otherwise specified.  
38 2. "Behavioral therapy" means interactive therapies derived from  
39 evidence based research, including applied behavior analysis, which includes  
40 discrete trial training, pivotal response training, intensive intervention  
41 programs and early intensive behavioral intervention.  
42 ~~3. "Small employer" has the same meaning prescribed in section~~  
43 ~~20-2301.~~

1           Sec. 2. Section 20-1057.11, Arizona Revised Statutes, is amended to  
2 read:

3           20-1057.11. Health care services organizations; autism spectrum  
4   disorder; coverage; exceptions; definitions

5           A. A health care services organization shall not:

6           1. Exclude or deny coverage for a treatment or impose dollar limits,  
7 deductibles and coinsurance provisions based solely on the diagnosis of  
8 autism spectrum disorder. For the purposes of this paragraph, "treatment"  
9 includes diagnosis, assessment and services.

10          2. Exclude or deny coverage for medically necessary behavioral therapy  
11 services. To be eligible for coverage, behavioral therapy services shall be  
12 provided or supervised by a licensed or certified provider.

13          B. This section does not:

14           ~~1. Apply to an evidence of coverage that is issued to an individual or~~  
15 ~~a small employer.~~

16           ~~2.~~ 1. Apply to limited benefit coverage as defined in section  
17 20-1137.

18           ~~3.~~ 2. Require coverage for services provided outside of this state.

19          C. The coverage required by this section is subject to all the terms  
20 and conditions of the evidence of coverage. Nothing in this section prevents  
21 an organization from imposing deductibles, coinsurance or other cost sharing  
22 in relation to the coverage required by this section.

23          ~~D. Coverage for behavioral therapy is subject to:~~

24           ~~1. A fifty thousand dollar maximum benefit per year for an eligible~~  
25 ~~person up to the age of nine.~~

26           ~~2. A twenty five thousand dollar maximum benefit per year for an~~  
27 ~~eligible person who is between the ages of nine and sixteen.~~

28          ~~E.~~ D. For the purposes of this section:

29           1. "Autism spectrum disorder" means one of the three following  
30 disorders as defined in the most recent edition of the diagnostic and  
31 statistical manual of mental disorders of the American psychiatric  
32 association:

33           (a) Autistic disorder.

34           (b) Asperger's syndrome.

35           (c) Pervasive developmental disorder - not otherwise specified.

36           2. "Behavioral therapy" means interactive therapies derived from  
37 evidence based research, including applied behavior analysis, which includes  
38 discrete trial training, pivotal response training, intensive intervention  
39 programs and early intensive behavioral intervention.

40           ~~3. "Small employer" has the same meaning prescribed in section~~  
41 ~~20-2301.~~

1           Sec. 3. Section 20-1402.03, Arizona Revised Statutes, is amended to  
2 read:

3           20-1402.03. Group disability insurers: autism spectrum  
4           disorder: coverage: exceptions: definitions

5           A. A group disability insurer shall not:

6           1. Exclude or deny coverage for a treatment or impose dollar limits,  
7 deductibles and coinsurance provisions based solely on the diagnosis of  
8 autism spectrum disorder. For the purposes of this paragraph, "treatment"  
9 includes diagnosis, assessment and services.

10          2. Exclude or deny coverage for medically necessary behavioral therapy  
11 services. To be eligible for coverage, behavioral therapy services shall be  
12 provided or supervised by a licensed or certified provider.

13          B. This section does not:

14          ~~1. Apply to a policy that is issued to an individual or a small~~  
15 ~~employer.~~

16          ~~2.~~ 1. Apply to long term care insurance, life insurance, annuities  
17 and limited benefit coverage as defined in section 20-1137.

18          ~~3.~~ 2. Require coverage for services provided outside of this state.

19          C. The coverage required by this section is subject to all the terms  
20 and conditions of the group disability contract. Nothing in this section  
21 prevents a group disability insurer from imposing deductibles, coinsurance or  
22 other cost sharing in relation to the coverage required by this section.

23          ~~D. Coverage for behavioral therapy is subject to:~~

24          ~~1. A fifty thousand dollar maximum benefit per year for an eligible~~  
25 ~~person up to the age of nine.~~

26          ~~2. A twenty five thousand dollar maximum benefit per year for an~~  
27 ~~eligible person who is between the ages of nine and sixteen.~~

28          ~~E.~~ D. For the purposes of this section:

29          1. "Autism spectrum disorder" means one of the three following  
30 disorders as defined in the most recent edition of the diagnostic and  
31 statistical manual of mental disorders of the American psychiatric  
32 association:

33           (a) Autistic disorder.

34           (b) Asperger's syndrome.

35           (c) Pervasive developmental disorder - not otherwise specified.

36          2. "Behavioral therapy" means interactive therapies derived from  
37 evidence based research, including applied behavior analysis, which includes  
38 discrete trial training, pivotal response training, intensive intervention  
39 programs and early intensive behavioral intervention.

40          ~~3. "Small employer" has the same meaning prescribed in section~~  
41 ~~20-2301.~~

1           Sec. 4. Section 20-1404.03, Arizona Revised Statutes, is amended to  
2 read:

3           20-1404.03. Blanket disability insurers: autism spectrum  
4                                   disorder; coverage; exceptions; definitions

5           A. A blanket disability insurer shall not:

6           1. Exclude or deny coverage for a treatment or impose dollar limits,  
7 deductibles and coinsurance provisions based solely on the diagnosis of  
8 autism spectrum disorder. For the purposes of this paragraph, "treatment"  
9 includes diagnosis, assessment and services.

10          2. Exclude or deny coverage for medically necessary behavioral therapy  
11 services. To be eligible for coverage, behavioral therapy services shall be  
12 provided or supervised by a licensed or certified provider.

13          B. This section does not:

14           ~~1. Apply to a policy or contract that is issued to an individual or a~~  
15 ~~small employer.~~

16           ~~2.~~ 1. Apply to limited benefit coverage as defined in section  
17 20-1137.

18           ~~3.~~ 2. Require coverage for services provided outside of this state.

19          C. The coverage required by this section is subject to all the terms  
20 and conditions of the blanket disability contract. Nothing in this section  
21 prevents a blanket disability insurer from imposing deductibles, coinsurance  
22 or other cost sharing in relation to the coverage required by this section.

23           ~~D. Coverage for behavioral therapy is subject to:~~

24           ~~1. A fifty thousand dollar maximum benefit per year for an eligible~~  
25 ~~person up to the age of nine.~~

26           ~~2. A twenty five thousand dollar maximum benefit per year for an~~  
27 ~~eligible person who is between the ages of nine and sixteen.~~

28           ~~E.~~ D. For the purposes of this section:

29           1. "Autism spectrum disorder" means one of the three following  
30 disorders as defined in the most recent edition of the diagnostic and  
31 statistical manual of mental disorders of the American psychiatric  
32 association:

33           (a) Autistic disorder.

34           (b) Asperger's syndrome.

35           (c) Pervasive developmental disorder - not otherwise specified.

36           2. "Behavioral therapy" means interactive therapies derived from  
37 evidence based research, including applied behavior analysis, which includes  
38 discrete trial training, pivotal response training, intensive intervention  
39 programs and early intensive behavioral intervention.

40           ~~3. "Small employer" has the same meaning prescribed in section~~  
41 ~~20-2301.~~