HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2008
STATE OF HAWAII

H.B. NO. 2895

A BILL FOR AN ACT

RELATING TO AUTISM SPECTRUM DISORDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 431, Hawaii Revised Statutes, is amended by adding a new section to article 10A to be appropriately designated and to read as follows:

"**§431:10A- Autism spectrum disorder coverage.** Each policy of accident and health or sickness insurance providing health care coverage shall provide coverage for the diagnosis and treatment of autism spectrum disorders for covered individuals under the age of twenty-one years.

For purposes of this section:

"Autism spectrum disorders" means any of the pervasive developmental disorders as defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, including autistic disorder and Asperger's disorder.

"Diagnosis" means medically necessary assessments, evaluations, or tests to diagnose whether an individual has an autism spectrum disorder.

"Medically necessary" means any care, treatment, intervention, service, or item that is prescribed, provided, or

ordered by a licensed physician, licensed psychologist, or certified registered nurse practitioner in accordance with accepted standards of practice and that will, or is reasonably expected to, do any of the following:

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

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

(3) Assist to achieve or maintain maximum functional capacity in performing daily activities, taking into account both the functional capacity of the recipient and those functional capacities that are appropriate of recipients of the same age.

"Treatment" includes the following prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by a licensed physician, licensed psychologist, or certified registered nurse practitioner if the care is determined to be medically necessary:

(1) Psychiatric care;

(2) Psychological care;

(3) Rehabilitative care;

(4) Therapeutic care;

(5) Pharmacy care; or

(6) Any care, treatment, intervention, service or item for individuals with an autism spectrum disorder that is determined by the department of health, based upon its review of best practices or evidenced-based research, to be medically necessary."

SECTION 2. Chapter 432, Hawaii Revised Statutes, is amended by adding a new section to article 1 to be appropriately designated and to read as follows:

"**§432:1- Autism spectrum disorder coverage.** All individual and group hospital and medical service contracts providing health care coverage shall provide coverage for the diagnosis and treatment of autism spectrum disorders for covered individuals under the age of twenty-one years.

For purposes of this section:

"Autism spectrum disorders" means any of the pervasive developmental disorders as defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, including autistic disorder and Asperger's disorder.

"Diagnosis" means medically necessary assessments, evaluations, or tests to diagnose whether an individual has an autism spectrum disorder.

"Medically necessary" means any care, treatment, intervention, service, or item that is prescribed, provided, or ordered by a licensed physician, licensed psychologist, or certified registered nurse practitioner in accordance with accepted standards of practice and that will, or is reasonably expected to, do any of the following:

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

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

(3) Assist to achieve or maintain maximum functional capacity in performing daily activities, taking into account both the functional capacity of the recipient and those functional capacities that are appropriate of recipients of the same age.

"Treatment" includes the following prescribed, provided, or ordered for an individual diagnosed with an autism spectrum disorder by a licensed physician, licensed psychologist, or

1 certified registered nurse practitioner if the care is
2 determined to be medically necessary:
3 (1) Psychiatric care;
4 (2) Psychological care;
5 (3) Rehabilitative care;
6 (4) Therapeutic care;
7 (5) Pharmacy care; or
8 (6) Any care, treatment, intervention, service or item for
9 individuals with an autism spectrum disorder that is
10 determined by the department of health, based upon its
11 review of best practices or evidenced-based research,
12 to be medically necessary."
13 SECTION 3. Section 432D-23, Hawaii Revised Statutes, is
14 amended to read as follows:
15 "**§432D-23 Required provisions and benefits.**
16 Notwithstanding any provision of law to the contrary, each
17 policy, contract, plan, or agreement issued in the State after
18 January 1, 1995, by health maintenance organizations pursuant to
19 this chapter, shall include benefits provided in sections
20 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
21 116.5, 431:10A-116.6, 431:10A-119, 431:10A-120, [~~and~~] 431:10A-
22 121, and 431:10A- , and chapter 431M."

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY: _____

JAN 22 2008

H.B. NO. 2895

Report Title:
Autism Spectrum Disorders; Insurance Coverage

Description:
Requires insurers, mutual benefit societies, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorders for covered individuals less than twenty-one years of age.