

SENATE NO. 595

AN ACT PROVIDING HEALTH CARE COVERAGE FOR AUTISM SPECTRUM DISORDERS

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after section 17I the
2 following section:-

3 Section 17J. (a) The commission shall provide coverage for Autism Spectrum Disorders to any active
4 or retired employee of the commonwealth who is insured under the group insurance commission under
5 the same terms and conditions that apply to other Autism Spectrum Disorders covered under the
6 policy, except as otherwise provided in this section.

7 (b) In this section, "ASD " shall mean Autism Spectrum Disorders.

8 (c) Such coverage shall not impose any annual or lifetime dollar maximum on coverage for ASD
9 other than an annual or lifetime dollar maximum that applies in the aggregate to all items and services
10 covered under the policy.

11 (d) Such coverage shall not apply amounts paid for ASD to any annual or lifetime dollar maximum
12 applicable to other ASD covered under the policy other than an annual or lifetime dollar maximum
13 that applies in the aggregate to all items and services covered under the policy.

14 (e) Such coverage may include a reasonable coinsurance requirement for ASD, not to exceed 20 per
15 cent of the allowable cost of the ASD, unless all covered benefits applying coinsurance under the plan
16 do so at a higher amount. If the policy provides coverage for services from nonparticipating providers,
17 the policy may include a reasonable coinsurance requirement for ASD, not to exceed 40 per cent of the
18 allowable cost of the ASD when obtained from a nonparticipating provider, unless all covered benefits
19 applying coinsurance under the plan do so at a higher amount.

20 (f) Such coverage may require prior authorization as a condition of coverage for ASD.

21 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section 47Z the
22 following section:-

23 Section 47AA. (a) Any blanket or general policy of insurance, except a blanket or general policy of
24 insurance which provides supplemental coverage to Medicare or other governmental programs,
25 described in subdivision (A), (C) or (D) of section 110 which provides hospital expense and surgical
26 expense insurance and which is issued or subsequently renewed by agreement between the insurer and
27 the policy holder, within or without the commonwealth, during the period this section is effective, or
28 any policy of accident or sickness insurance as described in section 108 which provides hospital
29 expense and surgical expense insurance, except a policy which provides supplemental coverage to
30 Medicare or other governmental programs, and which is delivered or issued for delivery or
31 subsequently renewed by agreement between the insurer and the policy holder in the commonwealth,

32 during the period that this section is effective, or any employees' health and welfare fund which
33 provides hospital expense and surgical expense benefits and which is promulgated or renewed to any
34 person or group of persons in the commonwealth, while this section is effective, shall provide
35 coverage for ASD under the same terms and conditions that apply to other ASD covered under the
36 policy, except as otherwise provided in this section.

37 (b) In this section, "ASD" shall mean ASD.

38 (c) No such policy shall impose any annual or lifetime dollar maximum on coverage for ASD other
39 than an annual or lifetime dollar maximum that applies in the aggregate to all items and services
40 covered under the policy.

41 (d) No such policy shall apply amounts paid for ASD to any annual or lifetime dollar maximum
42 applicable to other ASD covered under the policy other than an annual or lifetime dollar maximum
43 that applies in the aggregate to all items and services covered under the policy.

44 (e) Any such policy may include a reasonable coinsurance requirement for, not to exceed 20 per cent
45 of the allowable cost of the ASD, unless all covered benefits applying coinsurance under the plan do
46 so at a higher amount. If such policy provides coverage for services from nonparticipating providers,
47 the contract may include a reasonable coinsurance requirement for ASD, not to exceed 40 per cent of
48 the allowable cost of the ASD when obtained from a nonparticipating provider, unless all covered
49 benefits applying coinsurance under the plan do so at a higher amount.

50 (f) Any such policy may require prior authorization as a condition of coverage for ASD.

51 (g) Any such policy shall only be required to provide coverage for the most appropriately medically
52 necessary model ASD that adequately meets the needs of the policyholder.

53 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after section 8AA the
54 following section:-

55 Section 8BB. (a) A contract between a subscriber and the corporation under an individual or group
56 hospital service plan which provides hospital expense and surgical expense insurance, except contracts
57 providing supplemental coverage to Medicare or other governmental programs, delivered, issued or
58 renewed by agreement between the insurer and the policyholder, within or without the commonwealth,
59 shall provide benefits to all individual subscribers and members within the commonwealth and to all
60 group members having a principal place of employment within the commonwealth for coverage for
61 ASD. If ASD are covered as a durable medical equipment benefit ASD, coverage shall be provided
62 under the same terms and conditions that apply to other durable medical equipment covered under the
63 contract, except as otherwise provided in this section. If ASD are covered as a stand-alone benefit,
64 coverage shall be consistent with the terms and conditions as described in this section.

65 (b) In this section, "ASD" shall mean ASD.

66 (c) No such contract shall impose any annual or lifetime dollar maximum on coverage for ASD other
67 than an annual or lifetime dollar maximum that applies in the aggregate to all items and services
68 covered under the contract.

69 (d) No such contract shall apply amounts paid for ASD to any annual or lifetime dollar maximum
70 applicable to other durable medical equipment ASD covered under the policy other than an annual or

71 lifetime dollar maximum that applies in the aggregate to all items and services covered under the
72 contract.

73 (e) Any such contract may include a reasonable coinsurance requirement for ASD, not to exceed 20
74 per cent of the allowable cost of the ASD, unless all covered benefits applying coinsurance under the
75 plan do so at a higher amount. If the contract provides coverage for services from nonparticipating
76 providers, the contract may include a reasonable coinsurance requirement for ASD, not to exceed 40
77 per cent of the allowable cost of the ASD when obtained from a nonparticipating provider, unless all
78 covered benefits applying coinsurance under the plan do so at a higher amount.

79 (f) Any such contract may require prior authorization as a condition of coverage for ASD.

80 (g) Any such contract shall only be required to provide coverage for the most appropriate medically
81 necessary model ASD that adequately meets the medical needs of the policyholder.

82 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after section 4ZAA
83 the following section:-

84 Section 4BB. (a) Any subscription certificate under an individual or group medical service agreement,
85 except certificates which provide supplemental coverage to Medicare or other governmental programs
86 that shall be delivered, issued or renewed within the commonwealth shall provide, as benefits to all
87 individual subscribers or members within the commonwealth and to all group members having a
88 principal place of employment within the commonwealth, coverage for ASD. If ASD are covered as a
89 durable medical equipment benefit ASD, coverage shall be provided under the same terms and
90 conditions that apply to other durable medical equipment ASD covered under the policy, except as

91 otherwise provided in this section. If ASD are covered as a ASD, coverage shall be consistent with the
92 terms and conditions as described in this section.

93 (b) In this section, “ASD” shall mean an ASD.

94 (c) No such certificate shall impose any annual or lifetime dollar maximum on coverage for ASD
95 other than an annual or lifetime dollar maximum that applies in the aggregate to all items and services
96 covered under the certificate.

97 (d) No such certificate shall apply amounts paid for ASD to any annual or lifetime dollar maximum
98 applicable to other durable medical equipment ASD covered under the certificate other than an annual
99 or lifetime dollar maximum that applies in the aggregate to all items and services covered under the
100 certificate.

101 (e) Any such certificate may include a reasonable coinsurance requirement for ASD, not to exceed 20
102 per cent of the allowable cost of ASD, unless all covered benefits applying coinsurance under the plan
103 do so at a higher amount. If the certificate provides coverage for services from nonparticipating
104 providers, the contract may include a reasonable coinsurance requirement for ASD, not to exceed 40
105 per cent of the allowable cost of ASD when obtained from a nonparticipating provider, unless all
106 covered benefits applying coinsurance under the plan do so at a higher amount.

107 (f) Any such certificate may require prior authorization as a condition of coverage for ASD.

108 (g) Any such contract shall only be required to provide coverage for the most appropriate medically
109 necessary model ASD that adequately meets the medical needs of the policyholder.

110 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after section 4S the
111 following section:-

112 Section 4T. (a) Individual and group health maintenance contracts shall provide coverage for ASD. If
113 ASD are covered as a durable medical equipment benefit ASD, coverage shall be provided under the
114 same terms and conditions that apply to other durable medical equipment ASD covered under the
115 contracts, except as otherwise provided in this section. ASD are covered as coverage shall be
116 consistent with the terms and conditions as described in this section.

117 (b) In this section, "ASD" shall mean an Autism Spectrum Disorder.

118 (c) A health maintenance contract shall not impose any annual or lifetime dollar maximum on
119 coverage for other than an annual or lifetime dollar maximum that applies in the aggregate to all items
120 and services covered under the contract.

121 (d) A health maintenance contract shall not apply amounts paid for to any annual or lifetime dollar
122 maximum applicable to other durable medical equipment covered under the contract other than an
123 annual or lifetime dollar maximum that applies in the aggregate to all items and services covered under
124 the contract.

125 (e) A health maintenance contract may include a reasonable coinsurance requirement for , not to
126 exceed 20 per cent of the allowable cost of the , unless all covered benefits applying coinsurance under
127 the plan do so at a higher amount. If the health maintenance contract provides coverage for services
128 from nonparticipating providers, the contract may include a reasonable coinsurance requirement for ,
129 not to exceed 40 per cent of the allowable cost of the when obtained from a nonparticipating provider,
130 unless all covered benefits applying coinsurance under the plan do so at a higher amount.

131 (f) A health maintenance contract may require prior authorization as a condition of coverage for.

132 (g) A health maintenance contract shall only be required to provide coverage for the most appropriate
133 medically necessary model that adequately meets the medical needs of the policyholder.

134 SECTION 6. This act shall apply to all policies, contracts, agreements, plans or certificates of
135 insurance issued or delivered within the commonwealth on or after January 1, 2007, or upon renewal
136 to all policies, contracts, agreements, plans or certificates of insurance in effect before January 1, 2007.