

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 646
Apr 13, 2015
HOUSE PRINCIPAL CLERK

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HOUSE DRH10264-MM-65H (03/11)

Short Title: Insurance Coverage for Autism Treatment. (Public)

Sponsors: Representatives McGrady, Hager, Jeter, and Jackson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR AUTISM HEALTH INSURANCE COVERAGE.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Article 3 of Chapter 58 of the General Statutes is amended by adding
5 a new section to read:

6 "**§ 58-3-192. Coverage for autism spectrum disorders.**

7 (a) As used in this section, the following definitions apply:

8 (1) Autism spectrum disorder. – Any of the pervasive developmental disorders
9 or autism spectrum disorders, as defined by the most recent edition of the
10 Diagnostic and Statistical Manual of Mental Disorders (DSM) or the most
11 recent edition of the International Statistical Classification of Diseases and
12 Related Health Problems.

13 (2) Diagnosis of autism spectrum disorder. – Any medically necessary
14 assessments, evaluations, or tests to determine whether an individual has
15 autism spectrum disorder.

16 (3) Habilitative services. – As defined in G.S. 58-3-193.

17 (4) Health benefit plan. – As defined in G.S. 58-3-167.

18 (5) Pharmacy care. – Medications prescribed by a licensed health care provider.

19 (6) Psychiatric care. – Direct or consultative services provided by a licensed
20 psychiatrist.

21 (7) Psychological care. – Direct or consultative services provided by a licensed
22 psychologist or licensed psychological associate.

23 (8) Therapeutic care. – Direct or consultative services provided by a licensed
24 speech therapist, licensed occupational therapist, licensed physical therapist,
25 licensed clinical social worker, or licensed professional counselor.

26 (9) Treatment for autism spectrum disorder. – Any of the following care for an
27 individual diagnosed with autism spectrum disorder, or equipment related to
28 that care, ordered by a licensed physician or a licensed psychologist who
29 determines the care to be medically necessary:

30 a. Habilitative services.

31 b. Pharmacy care.

32 c. Psychiatric care.

33 d. Psychological care.

34 e. Therapeutic care.

35 (b) Every health benefit plan shall provide coverage for the screening, diagnosis, and
36 treatment of autism spectrum disorder. No insurer shall terminate coverage or refuse to issue,



1 amend, or renew coverage to an individual solely because the individual is diagnosed with
2 autism spectrum disorder or has received treatment for autism spectrum disorder.

3 (c) Coverage under this section may not be subject to any limits on the number of visits
4 an individual may have for treatment of autism spectrum disorder, except that coverage for
5 habilitative services may be limited to children age 18 or younger and may be subject to a
6 maximum benefit of 40 hours per week.

7 (d) Coverage under this section may not be denied on the basis that the treatments are
8 habilitative or educational in nature.

9 (e) Coverage under this section may be subject to co-payment, deductible, and
10 coinsurance provisions of a health benefit plan that are not less favorable than the co-payment,
11 deductible, and coinsurance provisions that apply to substantially all medical services covered
12 by the health benefit plan.

13 (f) This section shall not be construed as limiting benefits that are otherwise available
14 to an individual under a health benefit plan.

15 (g) This section shall not be construed as affecting any obligation to provide services to
16 an individual under an individualized family service plan, an individualized education program,
17 or an individualized service plan."

18 **SECTION 2.** Article 3 of Chapter 58 of the General Statutes is amended by adding
19 a new section to read:

20 **"§ 58-3-193. Habilitative services.**

21 "Habilitative services" means health care services, including, but not limited to, physical
22 and occupational therapy, speech-language therapy, speech/swallowing therapy, applied
23 behavior analysis, medical equipment, orthotics and prosthetics, that help a person keep, learn,
24 or improve skills and functioning for daily living."

25 **SECTION 3.** This act becomes effective October 1, 2015, and applies to insurance
26 contracts issued, renewed, or amended on or after that date.