

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1801

H.P. 1256

House of Representatives, March 30, 2007

### **An Act To Clarify the Definition of Autism and Eligibility for Services from the Department of Health and Human Services**

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Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.  
Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND

Clerk

Presented by Representative CRAVEN of Lewiston.  
Cosponsored by Senator ROSEN of Hancock and  
Representative: FINLEY of Skowhegan.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 34-B MRSA §6002**, as enacted by PL 1983, c. 824, §U, is amended to  
3 read:

4 **§6002. Autism defined**

5 Autism refers to a developmental disorder characterized by a lack of responsiveness  
6 to other people, gross impairment in communicative skills and unusual responses to  
7 various aspects of the environment, all usually developing within the first 30 months of  
8 age. For purposes of this chapter, a person with autism is one:

9 **1. Diagnosis.** Whose diagnosis, as defined in the Diagnostic and Statistical Manual  
10 of Mental Disorders, Fourth Edition, published by the American Psychiatric Association,  
11 is:

12 A. Autistic Disorder;

13 B. Rett's Disorder;

14 C. Childhood Disintegrative Disorder;

15 D. Asperger's Disorder; or

16 E. Pervasive Developmental Disorder Not Otherwise Specified; and

17 **2. Assessment.** Who has been assessed as having an adaptive behavior score at least  
18 2 standard deviations below the mean on an adaptive behavior scale approved for this  
19 purpose by the department. The department shall adopt rules to implement this  
20 subsection. Rules adopted pursuant to this subsection are routine technical rules as  
21 defined in Title 5, chapter 375, subchapter 2-A.

22 **Sec. 2. 34-B MRSA §6005** is enacted to read:

23 **§6005. Services to adults with autism**

24 **1. Provision of services.** The department may provide services to an adult person  
25 with autism if the person displays substantial functional limitations in 3 or more of the  
26 following:

27 A. Communication;

28 B. Self-care;

29 C. Self-direction;

30 D. Capacity for independent living; and

31 E. Learning.

32 **SUMMARY**

33 This bill updates the definition of autism by adopting the most recent version of the  
34 American Psychiatric Association's Diagnostic and Statistical Manual of Mental

- 1 Disorders in which "pervasive developmental disorders" are described as including 5
- 2 separate conditions and by application of a test to assess the applicant's level of adaptive
- 3 functional abilities.