

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 21

H.P. 16

House of Representatives, January 5, 2009

### **An Act To Encourage the Diagnosis and Treatment of Autism Spectrum Disorders**

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Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BRYANT of Windham.  
Cosponsored by Senator GERZOFSKY of Cumberland and  
Representative: CAREY of Lewiston, Senator: BRYANT of Oxford.

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

2 **Sec. 1. 24 MRSA §2317-B, sub-§19**, as enacted by PL 1999, c. 256, Pt. M, §10, is  
3 amended to read:

4 **19. Title 24-A, chapter 67.** Medicare supplement insurance policies, Title 24-A, chapter  
5 67; and

6 **Sec. 2. 24 MRSA §2317-B, sub-§20**, as amended by PL 2003, c. 428, Pt. G, §1, is  
7 further amended to read:

8 **20. Title 24-A, chapters 68 and 68-A.** Long-term care insurance, nursing home care  
9 insurance and home health care insurance, Title 24-A, chapters 68 and 68-A; and

10 **Sec. 3. 24 MRSA §2317-B, sub-§21** is enacted to read:

11 **21. Title 24-A, sections 2765, 2847-Q and 4257.** Coverage for diagnostic testing and  
12 screening of autism spectrum disorders, Title 24-A, sections 2765, 2847-Q and 4257.

13 **Sec. 4. 24-A MRSA §2765** is enacted to read:

14 **§2765. Coverage for diagnostic testing and screening for autism spectrum disorders**

15 **1. Definitions.** For the purposes of this section, unless the context otherwise indicates,  
16 the following terms have the following meanings.

17 **A. "Autism spectrum disorders"** means a spectrum of psychological conditions  
18 characterized by widespread abnormalities of social interactions and communication as  
19 well as severely restricted interests and highly repetitive behavior.

20 **B. "Diagnostic testing"** means a medical test performed to aid in the diagnosis or  
21 detection of a disease or disorder.

22 **2. Required coverage.** All individual health insurance policies and contracts must  
23 provide coverage for diagnostic testing and screening for autism spectrum disorders.

24 **3. Limits; coinsurances; deductibles.** Except as otherwise provided in this section, any  
25 policy or contract that provides coverage for services under this section may contain  
26 provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and  
27 exclusions to the extent that these provisions are not inconsistent with the requirements of this  
28 section.

29 **Sec. 5. 24-A MRSA §2847-Q** is enacted to read:

30 **§2847-Q. Coverage for diagnostic testing and screening for autism spectrum disorders**

31 **1. Definitions.** For the purposes of this section, unless the context otherwise indicates,  
32 the following terms have the following meanings.

1 A. "Autism spectrum disorders" means a spectrum of psychological conditions  
2 characterized by widespread abnormalities of social interactions and communication as  
3 well as severely restricted interests and highly repetitive behavior.

4 B. "Diagnostic testing" means a medical test performed to aid in the diagnosis or  
5 detection of a disease or disorder.

6 **2. Required coverage.** All group health insurance policies, contracts and certificates  
7 must provide coverage for diagnostic testing and screening for autism spectrum disorders.

8 **3. Limits; coinsurances; deductibles.** Except as otherwise provided in this section, any  
9 policy, contract or certificate that provides coverage for services under this section may  
10 contain provisions for maximum benefits and coinsurance and reasonable limitations,  
11 deductibles and exclusions to the extent that these provisions are not inconsistent with the  
12 requirements of this section.

13 **Sec. 6. 24-A MRSA §4257** is enacted to read:

14 **§4257. Coverage for diagnostic testing and screening for autism spectrum disorders**

15 **1. Definitions.** For the purposes of this section, unless the context otherwise indicates,  
16 the following terms have the following meanings.

17 A. "Autism spectrum disorders" means a spectrum of psychological conditions  
18 characterized by widespread abnormalities of social interactions and communication as  
19 well as severely restricted interests and highly repetitive behavior.

20 B. "Diagnostic testing" means a medical test performed to aid in the diagnosis or  
21 detection of a disease or disorder.

22 **2. Required coverage.** All health maintenance organization individual and group health  
23 insurance policies, contracts and certificates must provide coverage for diagnostic testing and  
24 screening for autism spectrum disorders.

25 **3. Limits; coinsurances; deductibles.** Except as otherwise provided in this section, any  
26 policy, contract or certificate that provides coverage for services under this section may  
27 contain provisions for maximum benefits and coinsurance and reasonable limitations,  
28 deductibles and exclusions to the extent that these provisions are not inconsistent with the  
29 requirements of this section.

30 **Sec. 7. Application.** The requirements of this Act apply to all policies, contracts and  
31 certificates executed, delivered, issued for delivery, continued or renewed in this State on or  
32 after January 1, 2010. For purposes of this Act, all contracts are deemed to be renewed no  
33 later than the next yearly anniversary of the contract date.

34 **SUMMARY**

35 This bill requires health insurance policies, contracts and certificates to provide coverage  
36 for diagnostic testing and screening for autism spectrum disorders. The provisions of this bill  
37 apply to all policies, contracts and certificates issued or renewed on or after January 1, 2010.