

HOUSE BILL No. 1165

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-7.1; IC 27-8-14.1; IC 27-13-7-14.7.

Synopsis: Insurance coverage for autism. Defines pervasive developmental disorders, including Asperger's syndrome and autism, as neurological conditions for purposes of coverage under group insurance for public employees, group health insurance, and group health maintenance organization contracts. Requires group insurance for public employees, group health insurers, and group health maintenance organization contracts that provide basic health care services to provide coverage for treatment, including therapeutic respite and rehabilitative care, of a pervasive developmental disorder of a child covered under the plan. Limits the required coverage to a maximum of ten thousand dollars (\$10,000) per year, not to include coverage for treatment of unrelated medical conditions. (The introduced version of this bill was prepared by the commission on autism.)

Effective: July 1, 1999.

Summers

January 6, 1999, read first time and referred to Committee on Insurance, Corporations and Small Business.



C
O
P
Y

Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1165

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-7.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 7.1. (a) As used in this section, "child" means an**
4 **individual not less than one (1) year of age and not more than**
5 **twenty-one (21) years of age.**

6 **(b) As used in this section, "covered individual" means a child**
7 **who is:**

8 **(1) covered under a self-insurance program established under**
9 **section 7(b) of this chapter to provide group health coverage;**
10 **or**

11 **(2) entitled to health services under a contract with a prepaid**
12 **health care delivery plan that is entered into or renewed**
13 **under section 7(c) of this chapter.**

14 **(c) As used in this section, "pervasive developmental disorder"**
15 **means a neurological condition, including Asperger's syndrome**
16 **and autism, as defined in the most recent edition of the Diagnostic**
17 **and Statistical Manual of Mental Disorders of the American**



C
O
P
Y

1 Psychiatric Association.

2 (d) A self-insurance program established under section 7(b) of
3 this chapter to provide health care coverage must provide a
4 covered individual with coverage for the treatment, including
5 therapeutic respite and rehabilitative care, of a pervasive
6 developmental disorder.

7 (e) A contract with a prepaid health care delivery plan that is
8 entered into or renewed under section 7(c) of this chapter must
9 provide a covered individual with services, including therapeutic
10 respite and rehabilitative care, for the treatment of a pervasive
11 developmental disorder.

12 (f) Except as provided in subsection (g), the coverage required
13 by subsection (d) and services required by subsection (e) may not
14 be subject to dollar limits, deductibles, copayments, or coinsurance
15 provisions that are less favorable to a covered individual than the
16 dollar limits, deductibles, copayments, or coinsurance provisions
17 applying to physical illness generally under the self-insurance
18 program or contract with a prepaid health care delivery plan.

19 (g) The coverage required by subsection (d) and the services
20 required by subsection (e) is limited to a maximum of ten thousand
21 dollars (\$10,000) per year for each covered individual. This
22 maximum does not include coverage for other health conditions of
23 the covered individual not related to treatment of the pervasive
24 developmental disorder.

25 SECTION 2. IC 27-8-14.1 IS ADDED TO THE INDIANA CODE
26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 1999]:

28 **Chapter 14.1. Insurance Coverage for Pervasive Developmental
29 Disorders.**

30 **Sec. 1.** As used in this chapter, "accident and sickness insurance
31 policy" means an insurance policy that:

- 32 (1) provides one (1) or more of the types of insurance
33 described in IC 27-1-5-1, classes 1(b) and 2(a); and
34 (2) is issued on a group basis.

35 **Sec. 2.** As used in this chapter, "child" means an individual not
36 less than one (1) year of age and not more than twenty-one (21)
37 years of age.

38 **Sec. 3.** As used in this chapter, "insured" means a child who is
39 entitled to coverage under a policy of accident and sickness
40 insurance.

41 **Sec. 4.** As used in this chapter, "pervasive developmental
42 disorder" means a neurological condition, including Asperger's



C
O
P
Y

1 syndrome and autism, as defined in the most recent edition of the
2 Diagnostic and Statistical Manual of Mental Disorders of the
3 American Psychiatric Association.

4 **Sec. 5. (a) An accident and sickness insurance policy shall**
5 **provide coverage, including therapeutic respite and rehabilitative**
6 **care, for the treatment of a pervasive developmental disorder of an**
7 **insured.**

8 (b) The maximum coverage required under this section is ten
9 thousand dollars (\$10,000) per year for each insured for treatment
10 related to a pervasive developmental disorder.

11 (c) The maximum coverage limit under subsection (b) does not
12 apply to treatment of other health conditions of the insured that
13 are not related to treatment of the pervasive developmental
14 disorder.

15 **Sec. 6. Except as provided in section 5(b) of this chapter, the**
16 **coverage required under this chapter may not be subject to dollar**
17 **limits, deductibles, or coinsurance provisions that are less**
18 **favorable to an insured than the dollar limits, deductibles, or**
19 **coinsurance provisions applying to physical illness generally under**
20 **the accident and sickness insurance policy.**

21 SECTION 3. IC 27-13-7-14.7 IS ADDED TO THE INDIANA
22 CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 1999]: **Sec. 14.7. (a) As used in this section,**
24 **"child" means an enrollee not less than one (1) year of age and not**
25 **more than twenty-one (21) years of age.**

26 (b) As used in this chapter, "pervasive developmental disorder"
27 means a neurological condition, including Asperger's syndrome
28 and autism, as defined in the most recent edition of the Diagnostic
29 and Statistical Manual of Mental Disorders of the American
30 Psychiatric Association.

31 (c) A group contract with a health maintenance organization
32 under this chapter that provides basic health care services must
33 provide services, including therapeutic respite and rehabilitative
34 care, for the treatment of a pervasive developmental disorder of a
35 child.

36 (d) The services required by subsection (c) are limited to a
37 maximum of ten thousand dollars (\$10,000) per year for each child.
38 This maximum does not include coverage for other health
39 conditions of the child that are not related to treatment of the
40 pervasive developmental disorder.

41 (e) Except as provided in subsection (d), the services required
42 under this chapter may not be subject to dollar limits, deductibles,

C
O
P
Y

1 **copayments, or coinsurance provisions that are less favorable to a**
2 **child than the dollar limits, deductibles, copayments, or**
3 **coinsurance provisions applying to physical illness generally under**
4 **the contract with a health maintenance organization.**

5 SECTION 4. [EFFECTIVE JULY 1, 1999] (a) **IC 5-10-8-7.1, as**
6 **added by this act, applies to all self-insurance programs or**
7 **contracts with prepaid health care delivery plans established,**
8 **issued, renewed, delivered, or entered into after June 30, 1999.**

9 (b) **IC 27-8-14.1, as added by this act, applies to all accident and**
10 **sickness insurance policies issued, renewed, delivered, or entered**
11 **into after June 30, 1999.**

12 (c) **IC 27-13-7-14.7, as added by this act, applies to all group**
13 **contracts with health maintenance organizations entered into,**
14 **renewed, delivered, or issued after June 30, 1999.**

15 (d) **This SECTION expires June 30, 2004.**

C
o
p
y

