

COMMITTEE ON APPROPRIATIONS

SENATE AMENDMENTS TO S.B. 1263

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 20, chapter 4, article 3, Arizona Revised Statutes,  
3 is amended by adding section 20-826.04, to read:

4 20-826.04. Subscription contracts; autism spectrum disorder;  
5 coverage; exceptions; definitions

6 A. A HOSPITAL SERVICE CORPORATION OR MEDICAL SERVICE CORPORATION SHALL  
7 NOT:

8 1. EXCLUDE OR DENY COVERAGE FOR A TREATMENT OR IMPOSE DOLLAR LIMITS,  
9 DEDUCTIBLES OR COINSURANCE PROVISIONS BASED SOLELY ON THE DIAGNOSIS OF AUTISM  
10 SPECTRUM DISORDER. FOR THE PURPOSES OF THIS PARAGRAPH, "TREATMENT" INCLUDES  
11 DIAGNOSIS, ASSESSMENT AND SERVICES.

12 2. EXCLUDE OR DENY COVERAGE FOR MEDICALLY NECESSARY BEHAVIORAL THERAPY  
13 SERVICES. TO BE ELIGIBLE FOR COVERAGE, BEHAVIORAL THERAPY SERVICES SHALL BE  
14 PROVIDED OR SUPERVISED BY A LICENSED OR CERTIFIED PROVIDER.

15 B. THIS SECTION DOES NOT:

16 1. APPLY TO A SUBSCRIPTION CONTRACT THAT IS ISSUED TO AN INDIVIDUAL OR  
17 A SMALL EMPLOYER.

18 2. APPLY TO LIMITED BENEFIT COVERAGE AS DEFINED IN SECTION 20-1137.

19 3. REQUIRE COVERAGE FOR SERVICES PROVIDED OUTSIDE OF THIS STATE.

20 C. THE COVERAGE REQUIRED BY THIS SECTION IS SUBJECT TO ALL THE TERMS  
21 AND CONDITIONS OF THE SUBSCRIPTION CONTRACT. NOTHING IN THIS SECTION PREVENTS  
22 A CORPORATION FROM IMPOSING DEDUCTIBLES, COINSURANCE OR OTHER COST SHARING IN  
23 RELATION TO THE COVERAGE REQUIRED BY THIS SECTION.

24 D. COVERAGE FOR BEHAVIORAL THERAPY IS SUBJECT TO:

25 1. A FIFTY THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN ELIGIBLE  
26 PERSON UP TO THE AGE OF NINE.

27 2. A TWENTY-FIVE THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN  
28 ELIGIBLE PERSON WHO IS BETWEEN THE AGES OF NINE AND SIXTEEN.

29 E. FOR THE PURPOSES OF THIS SECTION:



1 AN ORGANIZATION FROM IMPOSING DEDUCTIBLES, COINSURANCE OR OTHER COST SHARING  
2 IN RELATION TO THE COVERAGE REQUIRED BY THIS SECTION.

3 D. COVERAGE FOR BEHAVIORAL THERAPY IS SUBJECT TO:

4 1. A FIFTY THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN ELIGIBLE  
5 PERSON UP TO THE AGE OF NINE.

6 2. A TWENTY-FIVE THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN  
7 ELIGIBLE PERSON WHO IS BETWEEN THE AGES OF NINE AND SIXTEEN.

8 E. FOR THE PURPOSES OF THIS SECTION:

9 1. "AUTISM SPECTRUM DISORDER" MEANS ONE OF THE THREE FOLLOWING  
10 DISORDERS AS DEFINED IN THE MOST RECENT EDITION OF THE DIAGNOSTIC AND  
11 STATISTICAL MANUAL OF MENTAL DISORDERS OF THE AMERICAN PSYCHIATRIC  
12 ASSOCIATION:

13 (a) AUTISTIC DISORDER.

14 (b) ASPERGER'S SYNDROME.

15 (c) PERVASIVE DEVELOPMENTAL DISORDER-NOT OTHERWISE SPECIFIED.

16 2. "BEHAVIORAL THERAPY" MEANS INTERACTIVE THERAPIES DERIVED FROM  
17 EVIDENCED BASED RESEARCH, INCLUDING APPLIED BEHAVIOR ANALYSIS, WHICH INCLUDES  
18 DISCRETE TRIAL TRAINING, PIVOTAL RESPONSE TRAINING, INTENSIVE INTERVENTION  
19 PROGRAMS AND EARLY INTENSIVE BEHAVIORAL INTERVENTION.

20 3. "SMALL EMPLOYER" HAS THE SAME MEANING PRESCRIBED IN SECTION 20-  
21 2301.

22 Sec. 3. Title 20, chapter 6, article 5, Arizona Revised Statutes, is  
23 amended by adding sections 20-1402.03 and 20-1404.03, to read:

24 20-1402.03. Group disability insurers; autism spectrum  
25 disorder; coverage; exceptions; definitions

26 A. A GROUP DISABILITY INSURER SHALL NOT:

27 1. EXCLUDE OR DENY COVERAGE FOR A TREATMENT OR IMPOSE DOLLAR LIMITS,  
28 DEDUCTIBLES OR COINSURANCE PROVISIONS BASED SOLELY ON THE DIAGNOSIS OF AUTISM  
29 SPECTRUM DISORDER. FOR THE PURPOSES OF THIS PARAGRAPH, "TREATMENT" INCLUDES  
30 DIAGNOSIS, ASSESSMENT AND SERVICES.

1           2. EXCLUDE OR DENY COVERAGE FOR MEDICALLY NECESSARY BEHAVIORAL THERAPY  
2 SERVICES. TO BE ELIGIBLE FOR COVERAGE, BEHAVIORAL THERAPY SERVICES SHALL BE  
3 PROVIDED OR SUPERVISED BY A LICENSED OR CERTIFIED PROVIDER.

4           B. THIS SECTION DOES NOT:

5           1. APPLY TO A POLICY THAT IS ISSUED TO AN INDIVIDUAL OR A SMALL  
6 EMPLOYER.

7           2. APPLY TO LONG TERM CARE INSURANCE, LIFE INSURANCE, ANNUITIES AND  
8 LIMITED BENEFIT COVERAGE AS DEFINED IN SECTION 20-1137.

9           3. REQUIRE COVERAGE FOR SERVICES PROVIDED OUTSIDE OF THIS STATE.

10          C. THE COVERAGE REQUIRED BY THIS SECTION IS SUBJECT TO ALL THE TERMS  
11 AND CONDITIONS OF THE GROUP DISABILITY CONTRACT. NOTHING IN THIS SECTION  
12 PREVENTS A GROUP DISABILITY INSURER FROM IMPOSING DEDUCTIBLES, COINSURANCE OR  
13 OTHER COST SHARING IN RELATION TO THE COVERAGE REQUIRED BY THIS SECTION.

14          D. COVERAGE FOR BEHAVIORAL THERAPY IS SUBJECT TO:

15          1. A FIFTY THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN ELIGIBLE  
16 PERSON UP TO THE AGE OF NINE.

17          2. A TWENTY-FIVE THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN  
18 ELIGIBLE PERSON WHO IS BETWEEN THE AGES OF NINE AND SIXTEEN.

19          E. FOR THE PURPOSES OF THIS SECTION:

20          1. "AUTISM SPECTRUM DISORDER" MEANS ONE OF THE THREE FOLLOWING  
21 DISORDERS AS DEFINED IN THE MOST RECENT EDITION OF THE DIAGNOSTIC AND  
22 STATISTICAL MANUAL OF MENTAL DISORDERS OF THE AMERICAN PSYCHIATRIC  
23 ASSOCIATION:

24           (a) AUTISTIC DISORDER.

25           (b) ASPERGER'S SYNDROME.

26           (c) PERVASIVE DEVELOPMENTAL DISORDER-NOT OTHERWISE SPECIFIED.

27          2. "BEHAVIORAL THERAPY" MEANS INTERACTIVE THERAPIES DERIVED FROM  
28 EVIDENCED BASED RESEARCH, INCLUDING APPLIED BEHAVIOR ANALYSIS, WHICH INCLUDES  
29 DISCRETE TRIAL TRAINING, PIVOTAL RESPONSE TRAINING, INTENSIVE INTERVENTION  
30 PROGRAMS AND EARLY INTENSIVE BEHAVIORAL INTERVENTION.

31          3. "SMALL EMPLOYER" HAS THE SAME MEANING PRESCRIBED IN SECTION 20-  
32 2301.

20-1404.03. Blanket disability insurers; autism spectrum disorder;  
coverage; exceptions; definitions

A. A BLANKET DISABILITY INSURER SHALL NOT:

1. EXCLUDE OR DENY COVERAGE FOR A TREATMENT OR IMPOSE DOLLAR LIMITS, DEDUCTIBLES OR COINSURANCE PROVISIONS BASED SOLELY ON THE DIAGNOSIS OF AUTISM SPECTRUM DISORDER. FOR THE PURPOSES OF THIS PARAGRAPH, "TREATMENT" INCLUDES DIAGNOSIS, ASSESSMENT AND SERVICES.

2. EXCLUDE OR DENY COVERAGE FOR MEDICALLY NECESSARY BEHAVIORAL THERAPY SERVICES. TO BE ELIGIBLE FOR COVERAGE, BEHAVIORAL THERAPY SERVICES SHALL BE PROVIDED OR SUPERVISED BY A LICENSED OR CERTIFIED PROVIDER.

B. THIS SECTION DOES NOT:

1. APPLY TO A POLICY OR CONTRACT THAT IS ISSUED TO AN INDIVIDUAL OR A SMALL EMPLOYER.

2. APPLY TO LIMITED BENEFIT COVERAGE AS DEFINED IN SECTION 20-1137.

3. REQUIRE COVERAGE FOR SERVICES PROVIDED OUTSIDE OF THIS STATE.

C. THE COVERAGE REQUIRED BY THIS SECTION IS SUBJECT TO ALL THE TERMS AND CONDITIONS OF THE BLANKET DISABILITY CONTRACT. NOTHING IN THIS SECTION PREVENTS A BLANKET DISABILITY INSURER FROM IMPOSING DEDUCTIBLES, COINSURANCE OR OTHER COST SHARING IN RELATION TO THE COVERAGE REQUIRED BY THIS SECTION.

D. COVERAGE FOR BEHAVIORAL THERAPY IS SUBJECT TO:

1. A FIFTY THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN ELIGIBLE PERSON UP TO THE AGE OF NINE.

2. A TWENTY-FIVE THOUSAND DOLLAR MAXIMUM BENEFIT PER YEAR FOR AN ELIGIBLE PERSON WHO IS BETWEEN THE AGES OF NINE AND SIXTEEN.

E. FOR THE PURPOSES OF THIS SECTION:

1. "AUTISM SPECTRUM DISORDER" MEANS ONE OF THE THREE FOLLOWING DISORDERS AS DEFINED IN THE MOST RECENT EDITION OF THE DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS OF THE AMERICAN PSYCHIATRIC ASSOCIATION:

(a) AUTISTIC DISORDER.

(b) ASPERGER'S SYNDROME.

(c) PERVASIVE DEVELOPMENTAL DISORDER-NOT OTHERWISE SPECIFIED.

1           2. "BEHAVIORAL THERAPY" MEANS INTERACTIVE THERAPIES DERIVED FROM  
2 EVIDENCED BASED RESEARCH, INCLUDING APPLIED BEHAVIOR ANALYSIS, WHICH INCLUDES  
3 DISCRETE TRIAL TRAINING, PIVOTAL RESPONSE TRAINING, INTENSIVE INTERVENTION  
4 PROGRAMS AND EARLY INTENSIVE BEHAVIORAL INTERVENTION.

5           3. "SMALL EMPLOYER" HAS THE SAME MEANING PRESCRIBED IN SECTION 20-  
6 2301.

7           Sec. 4. Short title

8           This act shall be known as "Steven's Law".

9           Sec. 5. Applicability

10           This act applies to contracts, policies and evidences of coverage  
11 issued or renewed from and after June 30, 2009."

12 Amend title to conform

2/29/08  
4:14 PM  
S: H0/jas