

Advocates Hope Changes to Autism Bill Will Prevent Another Veto

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ALBANY - Former Gov. David Paterson vetoed legislation last year that would have required health-care coverage for medically necessary autism treatment, saying it could cost the state and municipalities \$70 million a year.

Now, a similar bill for screening, diagnosis and evidence-based treatment awaits action by Gov. Andrew Cuomo after passage by the Legislature.

This version includes a \$45,000-per-year cap on applied behavior analysis, a treatment that reinforces and rewards useful behaviors and reduces those that could interfere with learning, according to Autism Speaks. That group and other advocates said the bill would increase premiums by less than 1 percent.

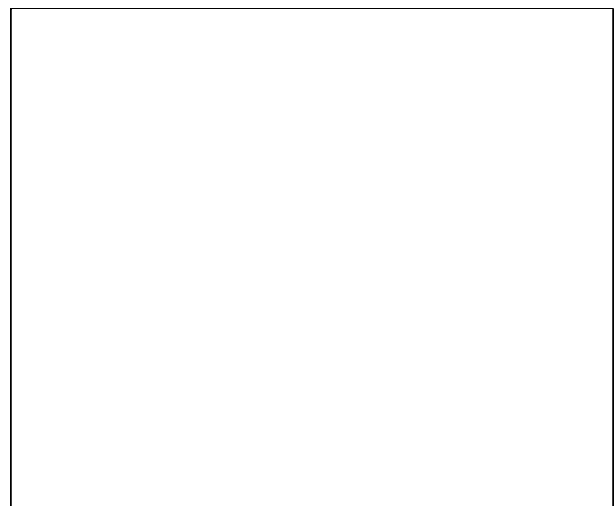
Assemblyman Joseph Morelle, D-

Irondequoit, Monroe County, said the Senate and Assembly adopted a chapter amendment for the bill after reaching a compromise agreement with the Cuomo administration. They added the cap, which would be adjusted for inflation, and a start date of one year from when it is signed, rather than Jan. 1, 2012.

"We worked very hard over the last several months to come up with a bill that was balanced and provided much-needed relief to families who are dealing with the autism spectrum disorder," said Morelle, the Assembly bill sponsor.

Cuomo spokesman Josh Vlasto said the administration had productive conversations with the bill sponsors and appreciates their cooperation. The bill has not been sent to the governor's office yet, and Vlasto declined to comment further.

An estimated one in every 100 children is diagnosed with a disorder on the autism spectrum, and the prevalence among boys is roughly one in 70. Children with these



developmental brain disorders, which vary widely in severity, have trouble interacting and communicating with others and engage in repetitive behaviors.

Twenty-seven other states have autism insurance laws, according to Autism Speaks.

Morelle said coverage of the treatment would relieve the financial burden on families, which often have trouble paying for their children's treatment, and will [save money](#) in the long term.

"What we do know is that early detection, diagnosis and services not only dramatically improves quality of life but reduces costs in the out years," he said.

The legislation would cover state-regulated insurance plans but not self-insured plans, which are regulated by the federal government.

Current state law requires that insurance coverage for autism "not exclude" diagnosis and treatment, but the sponsors of the legislation said it doesn't provide enough clarity or affirm that insurance companies have to cover treatment costs.

Advocates said they want the same coverage level for autism as other medical conditions.

"It really is a reasonable compromise for the families of New York who have loved ones with autism," said Judith Ursitti, director of [stategovernment](#) affairs for Autism Speaks.

A hike of half of 1 percent would increase insurance premiums by less than \$2 per month, she said, adding that last year's bill was vetoed based on incorrect fiscal information.

The actuarial firm Oliver Wyman estimated that private health-insurance premiums would go up between 0.27 percent and 0.63 percent after six years, Autism Speaks said.

Insurance companies might cover screening and diagnosis and a limited amount of speech therapy and occupational therapy, but they don't cover applied behavior analysis, a core therapy, Ursitti said. They may deny treatment and say it is the school system's responsibility, she said, but some kids need intervention beyond what the educational system can provide. The legislation would not cover experimental treatments for autism, which has no known cause.

A study commissioned by Autism Speaks said the legislation would save the state

\$13 million over six years because private insurers would pay for services currently covered through Medicaid under New York's Early Intervention Program.

Autism groups disagreed on the legislation in 2010, but they found common ground this year and most supported the modified bill, Ursitti said.

The New York Health Plan Association, whose members represent nearly seven million New Yorkers, opposes the legislation because it would increase the cost of insurance, impose a new mandate and require coverage of some services that "really fall under the educational umbrella," said Leslie Moran, senior vice president.

In states with no caps on age or benefits, premiums have increased by 2 percent, compared to less than 1 percent when there is an age limit or cap, according to the Health Plan Association.

The intentions of the bill are good, "but the fact is that we view this legislation as a tremendous increase to premium costs and a decrease in accessibility of basic, affordable health insurance," said Mike Durant, New York director of the [National Federation of Independent Business](#).

Members are facing health-insurance increases of more than 15 percent, and some have had to drop coverage, he said.

"So when you tack a mandate on there with health insurance costs where they are and looming federal health care, small-business owners are nervous about having more mandates on them," he said.

Rockland County Legislator John Murphy, a Republican who produces the annual Rockland Autism Symposium, said signing the bill would be a smart investment. The damage from autism can be reduced if it is addressed early enough and continued, he said.

"In the end it's a money-saver because many of these people, with early intervention and proper education and insurance, they can be job holders and taxpayers," said Murphy, president of Camp Venture in Nanuet, which serves children and adults with developmental disabilities, including autism.

