

SENATE, No. 1651

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED MAY 5, 2008

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator LORETTA WEINBERG

District 37 (Bergen)

SYNOPSIS

Requires health benefits coverage for certain therapies for the treatment of certain autism disorders.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning health benefits coverage for certain therapies
2 for the treatment of certain autism disorders and supplementing
3 various parts of the statutory law.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Notwithstanding any other provision of law to the contrary,
9 every individual and group hospital service corporation contract
10 that provides hospital and medical expense benefits and is
11 delivered, issued, executed or renewed in this State pursuant to
12 P.L.1938, c.366 (C.17:48-1 et seq.), or approved for issuance or
13 renewal in this State by the Commissioner of Banking and
14 Insurance, on or after the effective date of this act, shall, when the
15 covered person's primary diagnosis is Autistic Disorder, Childhood
16 Disintegrative Disorder, Asperger's Disorder, Pervasive
17 Developmental Disorder - Not Otherwise Specified or Rhetts
18 Syndrome, provide coverage for expenses incurred for the
19 following treatments when prescribed as medically necessary by the
20 covered person's physician: physical therapy; speech therapy;
21 occupational therapy; and evidence-based behavioral interventions.

22 The benefits shall be provided to the same extent as for any other
23 medical condition under the contract.

24 The provisions of this section shall apply to all contracts in
25 which the hospital service corporation has reserved the right to
26 change the premium.

27
28 2. Notwithstanding any other provision of law to the contrary,
29 every individual and group medical service corporation contract
30 that provides hospital and medical expense benefits and is
31 delivered, issued, executed or renewed in this State pursuant to
32 P.L.1940, c.74 (C.17:48A-1 et seq.), or approved for issuance or
33 renewal in this State by the Commissioner of Banking and
34 Insurance, on or after the effective date of this act, shall, when the
35 covered person's primary diagnosis is Autistic Disorder, Childhood
36 Disintegrative Disorder, Asperger's Disorder, Pervasive
37 Developmental Disorder - Not Otherwise Specified or Rhetts
38 Syndrome, provide coverage for expenses incurred for the
39 following treatments when prescribed as medically necessary by the
40 covered person's physician: physical therapy; speech therapy;
41 occupational therapy; and evidence-based behavioral interventions.

42 The benefits shall be provided to the same extent as for any other
43 medical condition under the contract.

44 The provisions of this section shall apply to all contracts in
45 which the medical service corporation has reserved the right to
46 change the premium.

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48 3. Notwithstanding any other provision of law to the contrary,

1 every individual and group health service corporation contract that
2 provides hospital and medical expense benefits and is delivered,
3 issued, executed or renewed in this State pursuant to P.L.1985,
4 c.236 (C.17:48E-1 et seq.), or approved for issuance or renewal in
5 this State by the Commissioner of Banking and Insurance, on or
6 after the effective date of this act, shall, when the covered person's
7 primary diagnosis is Autistic Disorder, Childhood Disintegrative
8 Disorder, Asperger's Disorder, Pervasive Developmental Disorder -
9 Not Otherwise Specified or Rhetts Syndrome, provide coverage for
10 expenses incurred for the following treatments when prescribed as
11 medically necessary by the covered person's physician: physical
12 therapy; speech therapy; occupational therapy; and evidence-based
13 behavioral interventions.

14 The benefits shall be provided to the same extent as for any other
15 medical condition under the contract.

16 The provisions of this section shall apply to all contracts in
17 which the health service corporation has reserved the right to
18 change the premium.

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20 4. Notwithstanding any other provision of law to the contrary,
21 every individual health insurance policy that provides hospital and
22 medical expense benefits and is delivered, issued, executed or
23 renewed in this State pursuant to chapter 26 of Title 17B of the New
24 Jersey Statutes, or approved for issuance or renewal in this State by
25 the Commissioner of Banking and Insurance, on or after the
26 effective date of this act, shall, when the covered person's primary
27 diagnosis is Autistic Disorder, Childhood Disintegrative Disorder,
28 Asperger's Disorder, Pervasive Developmental Disorder - Not
29 Otherwise Specified or Rhetts Syndrome, provide coverage for
30 expenses incurred for the following treatments when prescribed as
31 medically necessary by the covered person's physician: physical
32 therapy; speech therapy; occupational therapy; and evidence-based
33 behavioral interventions.

34 The benefits shall be provided to the same extent as for any other
35 medical condition under the policy.

36 The provisions of this section shall apply to all policies in which
37 the insurer has reserved the right to change the premium.

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39 5. Notwithstanding any other provision of law to the contrary,
40 every group health insurance policy that provides hospital and
41 medical expense benefits and is delivered, issued, executed or
42 renewed in this State pursuant to chapter 27 of Title 17B of the New
43 Jersey Statutes, or approved for issuance or renewal in this State by
44 the Commissioner of Banking and Insurance, on or after the
45 effective date of this act, shall, when the covered person's primary
46 diagnosis is Autistic Disorder, Childhood Disintegrative Disorder,
47 Asperger's Disorder, Pervasive Developmental Disorder - Not
48 Otherwise Specified or Rhetts Syndrome, provide coverage for

1 expenses incurred for the following treatments when prescribed as
2 medically necessary by the covered person's physician: physical
3 therapy; speech therapy; occupational therapy; and evidence-based
4 behavioral interventions.

5 The benefits shall be provided to the same extent as for any other
6 medical condition under the policy.

7 The provisions of this section shall apply to all policies in which
8 the insurer has reserved the right to change the premium.

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10 6. Notwithstanding any other provision of law to the contrary,
11 an individual health benefits plan that provides hospital and medical
12 expense benefits and is delivered, issued, executed or renewed in
13 this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et seq.), or
14 approved for issuance or renewal in this State by the Commissioner
15 of Banking and Insurance, on or after the effective date of this act,
16 shall, when the covered person's primary diagnosis is Autistic
17 Disorder, Childhood Disintegrative Disorder, Asperger's Disorder,
18 Pervasive Developmental Disorder - Not Otherwise Specified or
19 Rhett's Syndrome, provide coverage for expenses incurred for the
20 following treatments when prescribed as medically necessary by the
21 covered person's physician: physical therapy; speech therapy;
22 occupational therapy; and evidence-based behavioral interventions.

23 The benefits shall be provided to the same extent as for any other
24 medical condition under the health benefits plan.

25 The provisions of this section shall apply to those health benefits
26 plans in which the carrier has reserved the right to change the
27 premium.

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29 7. Notwithstanding any other provision of law to the contrary, a
30 small employer health benefits plan that provides hospital and
31 medical expense benefits and is delivered, issued, executed or
32 renewed in this State pursuant to P.L.1992, c.162 (C.17B:27A-17 et
33 seq.), or approved for issuance or renewal in this State by the
34 Commissioner of Banking and Insurance, on or after the effective
35 date of this act, shall, when the covered person's primary diagnosis
36 is Autistic Disorder, Childhood Disintegrative Disorder, Asperger's
37 Disorder, Pervasive Developmental Disorder - Not Otherwise
38 Specified or Rhett's Syndrome, provide coverage for expenses
39 incurred for the following treatments when prescribed as medically
40 necessary by the covered person's physician: physical therapy;
41 speech therapy; occupational therapy; and evidence-based
42 behavioral interventions.

43 The benefits shall be provided to the same extent as for any other
44 medical condition under the health benefits plan.

45 The provisions of this section shall apply to those health benefits
46 plans in which the carrier has reserved the right to change the
47 premium.

1 8. Notwithstanding any other provision of law to the contrary, a
2 health maintenance organization enrollee agreement that provides
3 health care services and is delivered, issued, executed or renewed in
4 this State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.), or
5 approved for issuance or renewal in this State by the Commissioner
6 of Health and Senior Services, on or after the effective date of this
7 act, shall, when the covered person's primary diagnosis is Autistic
8 Disorder, Childhood Disintegrative Disorder, Asperger's Disorder,
9 Pervasive Developmental Disorder - Not Otherwise Specified or
10 Rhett's Syndrome, provide coverage for expenses incurred for the
11 following treatments when prescribed as medically necessary by the
12 covered person's physician: physical therapy; speech therapy;
13 occupational therapy; and evidence-based behavioral interventions.

14 The health care services shall be provided to the same extent as
15 for any other medical condition under the enrollee agreement.

16 The provisions of this section shall apply to those enrollee
17 agreements in which the health maintenance organization has
18 reserved the right to change the premium.

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20 9. Notwithstanding any other provision of law to the contrary,
21 the State Health Benefits Commission shall, when the covered
22 person's primary diagnosis is Autistic Disorder, Childhood
23 Disintegrative Disorder, Asperger's Disorder, Pervasive
24 Developmental Disorder - Not Otherwise Specified or Rhett's
25 Syndrome, provide coverage for expenses incurred for the
26 following treatments when prescribed as medically necessary by the
27 covered person's physician: physical therapy; speech therapy;
28 occupational therapy; and evidence-based behavioral interventions.

29 These benefits shall be provided to the same extent as for any
30 other medical condition under the program.

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32 10. This act shall take effect on the 90th day after enactment.

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STATEMENT

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37 This bill requires health insurers to provide health benefits
38 coverage for expenses incurred for certain treatments when
39 prescribed as medically necessary by the covered person's physician
40 upon a diagnosis of autism. When the covered person's primary
41 diagnosis is Autistic Disorder, Childhood Disintegrative Disorder,
42 Asperger's Disorder, Pervasive Developmental Disorder - Not
43 Otherwise Specified or Rhett's Syndrome, the covered treatments
44 would include: physical therapy; speech therapy; occupational
45 therapy; and evidence-based behavioral interventions. Insurers
46 covered by the bill include: health, hospital and medical service
47 corporations; commercial individual and group health insurers;
48 health maintenance organizations; health benefits plans issued

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- 1 pursuant to the New Jersey Individual Health Coverage and Small
- 2 Employer Health Benefits Programs; and the State Health Benefits
- 3 Program.