



## **MEMORANDUM OF SUPPORT**

**March 8, 2010**

### **S.7000 (BRESLIN)**

Autism Speaks, the nation's largest autism science and advocacy organization, strongly supports S. 7000 sponsored by Senator Neil Breslin. This landmark legislation would require health insurers to provide coverage for the treatment of "autism spectrum disorders" as defined by the Diagnostic and Statistical Manual of Mental Disorders, 4<sup>th</sup> Edition as published by the American Psychiatric Association.

The Commissioner of Health, in conjunction with the Office of Mental Health and the Office of Mental Retardation and Developmental Disabilities, is charged with responsibility for promulgating rules defining the scope of such coverage. Until such time as these rules are established, insurers are obligated to provide coverage pursuant to clinical reports and treatment guidelines published currently and subsequently by the American Academy of Pediatrics.

Autism is a complex neurobiological disorder that inhibits a person's ability to communicate and develop social relationships, and is often accompanied by behavioral challenges. Autism spectrum disorders are diagnosed in one in 110 children in the United States, affecting four times as many boys as girls. The prevalence of autism increased 57 percent from 2002 to 2006. The Centers for Disease Control and Prevention has called autism an urgent public health concern whose cause and cure remain unknown.

The U.S. Surgeon General has reported that treatment for autism can spare an individual from life-long dependency as a ward of the state. In the absence of health insurance coverage, families are often required to pay out-of-pocket for treatments that can cost upwards of \$50,000 per year. In the process, many risk their homes and the educations of their unaffected children – essentially mortgaging their entire futures. Worse yet, children born into families without means may go untreated. Without treatment, these individuals become a significant financial burden on the state. According to a Harvard School of Public Health study, the lifetime societal cost of autism is estimated to be \$3.2 million per person. This cost can be reduced dramatically or eliminated with appropriate intervention.

This legislation will finally insure that thousands of New York families receive the benefit of health coverage for the treatment of autism spectrum disorder, including applied behavior analysis (ABA). The legislation also insures that coverage cannot be denied because a particular treatment is deemed "educational or habilitative" in nature. This provision is significant since some insurers have attempted to deny coverage for ABA services in New York and other states on the basis that such treatments were viewed as "educational" in nature. Just as important, the

bill has no monetary coverage limitations or limits based upon age. The legislation does not require insurance coverage for services which are otherwise delivered to children via an individualized family service or individual education plan.

Autism Speaks has advocated for the enactment of insurance legislation at the state level across the nation. So far, 15 states have adopted insurance coverage legislation: Arizona, Colorado, Connecticut, Florida, Illinois, Indiana, Louisiana, Montana, Nevada, New Jersey, New Mexico, Pennsylvania, South Carolina, Texas, and Wisconsin. In the states where the laws are effective, individuals with autism are making remarkable progress, and the impact on premiums has been miniscule. In South Carolina, for instance, one insurer reported a fiscal impact of approximately 20 cents per month for each member of the plan as a result of the added autism benefit. Autism Speaks has worked closely with the sponsors of this legislation and others in the autism community. We urge that this vitally important bill be enacted into law during the 2010 legislative session.

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