

STAND. COM. REP. NO.

808

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 668
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 668, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to mandate insurance coverage for treatments for autism spectrum disorders.

More specifically, this measure:

- (1) Requires each individual or group accident and health or sickness insurance policy; hospital or medical service plan policy, contract, or agreement; and health maintenance organization policy, contract, plan, or agreement issued or renewed in the State after December 31, 2013, to cover screening, diagnosis, and treatment for autism spectrum disorders for persons up to age twenty-six;
- (2) Limits required coverage for certain treatments to a maximum annual amount of \$50,000 and a maximum lifetime amount of \$300,000; and
- (3) Specifies that covered treatments for autism spectrum disorders include behavioral health treatment, applied behavior analysis, pharmacy care, psychiatric care, psychological care, and therapeutic care.



808

Your Committee received written comments in support of this measure from Autism Speaks, Hawaii Disability Rights Center, Hawaii Medical Association, Special Education Advisory Council, Council on Developmental Disabilities, and eleven concerned individuals.

Your Committee received written comments in opposition to this measure from the Department of Human Services and Kaiser Permanente Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Health, Department of Commerce and Consumer Affairs, Community Children's Council of Hawaii, and Hawaii Medical Service Association.

Your Committee finds that recent research indicates that the number of persons diagnosed with an autism spectrum disorder in the United States is growing. In Hawaii, autism spectrum disorders similarly affect a significant and growing number of young people. However, many treatments for these disorders are not covered by insurance, and as a result, many children go without certain treatments. Accordingly, your Committee believes that requiring health insurers in Hawaii to cover treatments for autism spectrum disorders, subject to certain age and benefit limits, will allow more families in Hawaii to access care for their children with autism spectrum disorders.

Your Committee has amended this measure by:

- (1) Clarifying that the \$50,000 annual cap and \$300,000 maximum lifetime benefit applies to behavioral health treatments, as opposed to all covered treatments;
- (2) Requiring the Insurance Commissioner to adjust the maximum required benefit annually after December 31, 2015;
- (3) Changing the commencement date of the exemption from including mandated autism spectrum disorder benefits for qualified health plans sold through the Hawaii Health Insurance Exchange from January 1, 2016, to January 1, 2014;
- (4) Clarifying that behavioral health treatments are provided or supervised by a Board-Certified Behavior



Analyst or a licensed psychologist with appropriate training;

- (5) Requiring health insurers to include as many Board-Certified Behavior Analysts as licensed psychologists in their approved provider networks for applied behavior analysis;
- (6) Clarifying that the term "autism spectrum disorders" includes any of the pervasive developmental disorders or autism spectrum disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders;
- (7) Clarifying that the individuals diagnosed with an autism spectrum disorder shall not be required to undergo a repeat evaluation upon the publication of subsequent editions of the Diagnostic and Statistical Manual of Mental Disorders to remain eligible for covered benefits;
- (8) Deleting social workers from among the persons who may prescribe or order treatments for autism spectrum disorders;
- (9) Changing the effective date of this measure from January 1, 2030, to July 1, 2050, to encourage further discussion on the measure; and
- (10) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 668, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 668, S.D. 2.



809

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

David Y. Ige

DAVID Y. IGE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 668, SD1	Committee Referral: HTH/CPN, WAM	Date: 2-21-13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will				✓
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.				✓
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
TOKUDA, Jill N.	✓			
SLOM, Sam			✓	
TOTAL	10		1 1 ✓	2 ✓
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:right; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes