

Introduced by Senators Perata and SteinbergFebruary 22, 2008

An act to add Section 1374.73 to the Health and Safety Code, and to add Section 10144.55 to the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 1563, as introduced, Perata. Pervasive developmental disorders.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires that health care service plan contracts and health insurance policies provide coverage for the diagnosis and medically necessary treatment of severe mental illnesses, including, but not limited to, pervasive developmental disorder or autism, under the same terms and conditions applied to other medical conditions, as specified.

This bill would require the Department of Managed Health Care and the Department of Insurance to work in conjunction to review the standards and best practice guidelines adopted by the State Department of Developmental Services on the screening, diagnosis, assessment, intervention, and treatment of autism and pervasive developmental disorders and to develop recommendations on ensuring that health care service plans and health insurers provide appropriate and equitable coverage for those illnesses. The bill would require those departments to submit those recommendations to the Legislature no later than October 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) Existing law requires health care service plans and health
4 insurers to provide coverage for the diagnosis and medically
5 necessary treatment of severe mental illnesses, including, but not
6 limited to, pervasive developmental disorder or autism; however,
7 the roles and responsibilities of health care service plans and health
8 insurers in providing this coverage are not well defined.

9 (b) Due to a lack of consensus about the medical necessity of
10 treatment for autism, behavioral health care coverage may be
11 denied or fragmented. In addition, health care service plans and
12 health insurers do not consistently provide access to professionals
13 with adequate training and expertise in autism.

14 (c) In 2002, in response to direction from the Legislature, the
15 State Department of Developmental Services adopted guidelines
16 and best practices to ensure consistency and accuracy in the
17 diagnosis of autism and other pervasive developmental disorders
18 throughout California.

19 (d) In 2005, the State Department of Developmental Services
20 initiated a project, in conjunction with multidisciplinary experts,
21 consumers, stakeholders, and federal resources, including the
22 National Research Council, the National Autism Center, and the
23 National Standards Project, to establish recommendations on best
24 practice guidelines for the intervention and treatment of autism.
25 These recommendations will be submitted to the department by
26 December 2008.

27 SEC. 2. Section 1374.73 is added to the Health and Safety
28 Code, to read:

29 1374.73. In conjunction with the Department of Insurance, the
30 Department of Managed Health Care shall review the standards
31 and best practice guidelines adopted by the State Department of
32 Developmental Services on the screening, diagnosis, assessment,
33 intervention, and treatment of autism and other pervasive
34 developmental disorders and shall develop recommendations on
35 ensuring that health care service plans and health insurers provide
36 appropriate and equitable coverage for those illnesses. The
37 Department of Managed Health Care shall, in conjunction with

1 the Department of Insurance, submit these recommendations to
2 the Legislature no later than October 1, 2009.

3 SEC. 3. Section 10144.55 is added to the Insurance Code, to
4 read:

5 10144.55. In conjunction with the Department of Managed
6 Health Care, the Department of Insurance shall review the
7 standards and best practice guidelines adopted by the State
8 Department of Developmental Services on the screening, diagnosis,
9 assessment, intervention, and treatment of autism and other
10 pervasive developmental disorders and shall develop
11 recommendations on ensuring that health care service plans and
12 health insurers provide appropriate and equitable coverage for
13 those illnesses. The Department of Insurance shall, in conjunction
14 with the Department of Managed Health Care, submit these
15 recommendations to the Legislature no later than October 1, 2009.

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