

ASSEMBLY BILL NO. 304—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON HEALTH CARE)

MARCH 16, 2017

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to autism. (BDR 38-363)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to autism; revising certain provisions relating to eligibility for services provided or coordinated by the Autism Treatment Assistance Program within the Division of Public and Behavioral Health of the Department of Health and Human Services; redefining the term “autism spectrum disorder” for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes the Autism Treatment Assistance Program within the Division of Public and Behavioral Health of the Department of Health and Human Services to provide and coordinate the provision of services to certain persons “with” autism spectrum disorders. (NRS 427A.875) **Section 1** of this bill revises this language to provide for the provision of services to persons who are “diagnosed or determined” to have such disorders.

For purposes relating to the Program and required insurance coverage, existing law defines the terms “autism spectrum disorder” or “autism spectrum disorders” to mean “a neurobiological medical condition including, without limitation, autistic disorder, Asperger’s Disorder and Pervasive Developmental Disorder Not Otherwise Specified.” (NRS 287.0276, 427A.875, 689A.0435, 689B.0335, 689C.1655, 695C.1717, 695G.1645) **Sections 1-7** of this bill revise the definition to mean a condition that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the *Diagnostic and Statistical Manual of Mental Disorders* published by the American Psychiatric Association or the edition of the *Manual* that was in effect at the time the condition was diagnosed or determined.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 427A.875 is hereby amended to read as follows:

427A.875 1. There is hereby established the Autism Treatment Assistance Program within the Division to serve as the primary autism program within the Department and to provide and coordinate the provision of services to persons ~~with~~ *diagnosed or determined, including, without limitation, through the use of a standardized assessment, to have* autism spectrum disorders through the age of 19 years.

2. The Autism Treatment Assistance Program shall:

(a) Prescribe an application process for parents and guardians of persons with autism spectrum disorders to participate in the Program.

(b) Provide for the development of a plan of treatment for persons who participate in the Program.

(c) Promote the use of evidence-based treatments which are cost effective and have been proven to improve treatment of autism spectrum disorders.

(d) Educate parents and guardians of persons with autism spectrum disorders on autism spectrum disorders and the assistance that may be provided by the parent or guardian to improve treatment outcomes.

(e) Establish and use a system for assessing persons with autism spectrum disorders to determine a baseline to measure the progress of and prepare a plan for the treatment of such persons.

(f) Assist parents and guardians of persons with autism spectrum disorders in obtaining public services that are available for the treatment of autism spectrum disorders.

3. A plan of treatment developed for a person who participates in the Program pursuant to paragraph (b) of subsection 2 must:

(a) Identify the specific behaviors of the person to be addressed and the expected outcomes.

(b) Include, without limitation, preparations for transitioning the person from one provider of treatment to another or from one public program to another, as the needs of the person require through the age of 19 years.

(c) Be revised to address any change in the needs of the person.

4. The policies of the Autism Treatment Assistance Program and any services provided by the Program must be developed in cooperation with and be approved by the Nevada Autism Task Force created by section 40 of chapter 348, Statutes of Nevada 2007, or its successor organization.



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5. As used in this section, "autism spectrum disorder" means a ~~neurobiological medical~~ condition ~~including, without limitation, autistic disorder, Asperger's Disorder and Pervasive Developmental Disorder Not Otherwise Specified.~~ *that meets the diagnostic criteria for autism spectrum disorder published in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association or the edition thereof that was in effect at the time the condition was diagnosed or determined.*

Sec. 2. NRS 287.0276 is hereby amended to read as follows:

287.0276 1. The governing body of any county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada that provides health insurance through a plan of self-insurance must provide coverage for screening for and diagnosis of autism spectrum disorders and for treatment of autism spectrum disorders to persons covered by the plan of self-insurance under the age of 18 years or, if enrolled in high school, until the person reaches the age of 22 years.

2. Coverage provided under this section is subject to:

(a) A maximum benefit of the actuarial equivalent of \$72,000 per year for applied behavior analysis treatment; and

(b) Copayment, deductible and coinsurance provisions and any other general exclusion or limitation of a plan of self-insurance to the same extent as other medical services or prescription drugs covered by the policy.

3. A governing body of any county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada that provides health insurance through a plan of self-insurance which provides coverage for outpatient care shall not:

(a) Require an insured to pay a higher deductible, copayment or coinsurance or require a longer waiting period for coverage for outpatient care related to autism spectrum disorders than is required for other outpatient care covered by the plan of self-insurance; or

(b) Refuse to issue a plan of self-insurance or cancel a plan of self-insurance solely because the person applying for or covered by the plan of self-insurance uses or may use in the future any of the services listed in subsection 1.

4. Except as otherwise provided in subsections 1 and 2, a governing body of any county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada that provides health insurance through a plan of self-insurance shall not limit the number



1 of visits an insured may make to any person, entity or group for
2 treatment of autism spectrum disorders.

3 5. Treatment of autism spectrum disorders must be identified in
4 a treatment plan and may include medically necessary habilitative or
5 rehabilitative care, prescription care, psychiatric care, psychological
6 care, behavioral therapy or therapeutic care that is:

7 (a) Prescribed for a person diagnosed with an autism spectrum
8 disorder by a licensed physician or licensed psychologist; and

9 (b) Provided for a person diagnosed with an autism spectrum
10 disorder by a licensed physician, licensed psychologist, licensed
11 behavior analyst or other provider that is supervised by the licensed
12 physician, psychologist or behavior analyst.

13 ↪ A governing body of any county, school district, municipal
14 corporation, political subdivision, public corporation or other local
15 governmental agency of the State of Nevada that provides health
16 insurance through a plan of self-insurance may request a copy of
17 and review a treatment plan created pursuant to this subsection.

18 6. A plan of self-insurance subject to the provisions of this
19 chapter that is delivered, issued for delivery or renewed on or after
20 July 1, 2011, has the legal effect of including the coverage required
21 by subsection 1, and any provision of the plan of self-insurance or
22 the renewal which is in conflict with subsections 1 or 2 is void.

23 7. Nothing in this section shall be construed as requiring a
24 governing body of any county, school district, municipal
25 corporation, political subdivision, public corporation or other local
26 governmental agency of the State of Nevada that provides health
27 insurance through a plan of self-insurance to provide reimbursement
28 to an early intervention agency or school for services delivered
29 through early intervention or school services.

30 8. As used in this section:

31 (a) "Applied behavior analysis" means the design,
32 implementation and evaluation of environmental modifications
33 using behavioral stimuli and consequences to produce socially
34 significant improvement in human behavior, including, without
35 limitation, the use of direct observation, measurement and
36 functional analysis of the relations between environment and
37 behavior.

38 (b) "Autism behavior interventionist" means a person who is
39 registered as a Registered Behavior Technician or an equivalent
40 credential by the Behavior Analyst Certification Board, Inc., or its
41 successor organization, and provides behavioral therapy under the
42 supervision of:

43 (1) A licensed psychologist;

44 (2) A licensed behavior analyst; or

45 (3) A licensed assistant behavior analyst.



(c) “Autism spectrum ~~{disorders}~~” ~~means a neurobiological medical condition including, without limitation, autistic disorder, Asperger’s Disorder and Pervasive Development Disorder Not Otherwise Specified.~~ *disorder” has the meaning ascribed to it in NRS 427A.875.*

(d) “Behavioral therapy” means any interactive therapy derived from evidence-based research, including, without limitation, discrete trial training, early intensive behavioral intervention, intensive intervention programs, pivotal response training and verbal behavior provided by a licensed psychologist, licensed behavior analyst, licensed assistant behavior analyst or autism behavior interventionist.

(e) “Evidence-based research” means research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to autism spectrum disorders.

(f) “Habilitative or rehabilitative care” means counseling, guidance and professional services and treatment programs, including, without limitation, applied behavior analysis, that are necessary to develop, maintain and restore, to the maximum extent practicable, the functioning of a person.

(g) “Licensed assistant behavior analyst” means a person who holds current certification or meets the standards to be certified as a board certified assistant behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization, who is licensed as an assistant behavior analyst by the Board of Psychological Examiners and who provides behavioral therapy under the supervision of a licensed behavior analyst or psychologist.

(h) “Licensed behavior analyst” means a person who holds current certification or meets the standards to be certified as a board certified behavior analyst or a board certified assistant behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization and who is licensed as a behavior analyst by the Board of Psychological Examiners.

(i) “Prescription care” means medications prescribed by a licensed physician and any health-related services deemed medically necessary to determine the need or effectiveness of the medications.

(j) “Psychiatric care” means direct or consultative services provided by a psychiatrist licensed in the state in which the psychiatrist practices.

(k) “Psychological care” means direct or consultative services provided by a psychologist licensed in the state in which the psychologist practices.



(l) "Screening for autism spectrum disorders" means all medically appropriate assessments, evaluations or tests to diagnose whether a person has an autism spectrum disorder.

(m) "Therapeutic care" means services provided by licensed or certified speech-language pathologists, occupational therapists and physical therapists.

(n) "Treatment plan" means a plan to treat an autism spectrum disorder that is prescribed by a licensed physician or licensed psychologist and may be developed pursuant to a comprehensive evaluation in coordination with a licensed behavior analyst.

Sec. 3. NRS 689A.0435 is hereby amended to read as follows:

689A.0435 1. A health benefit plan must provide an option of coverage for screening for and diagnosis of autism spectrum disorders and for treatment of autism spectrum disorders for persons covered by the policy under the age of 18 years or, if enrolled in high school, until the person reaches the age of 22 years.

2. Optional coverage provided pursuant to this section must be subject to:

(a) A maximum benefit of not less than the actuarial equivalent of \$72,000 per year for applied behavior analysis treatment; and

(b) Copayment, deductible and coinsurance provisions and any other general exclusions or limitations of a policy of health insurance to the same extent as other medical services or prescription drugs covered by the policy.

3. A health benefit plan that offers or issues a policy of health insurance which provides coverage for outpatient care shall not:

(a) Require an insured to pay a higher deductible, copayment or coinsurance or require a longer waiting period for optional coverage for outpatient care related to autism spectrum disorders than is required for other outpatient care covered by the policy; or

(b) Refuse to issue a policy of health insurance or cancel a policy of health insurance solely because the person applying for or covered by the policy uses or may use in the future any of the services listed in subsection 1.

4. Except as otherwise provided in subsections 1 and 2, an insurer who offers optional coverage pursuant to subsection 1 shall not limit the number of visits an insured may make to any person, entity or group for treatment of autism spectrum disorders.

5. Treatment of autism spectrum disorders must be identified in a treatment plan and may include medically necessary habilitative or rehabilitative care, prescription care, psychiatric care, psychological care, behavioral therapy or therapeutic care that is:

(a) Prescribed for a person diagnosed with an autism spectrum disorder by a licensed physician or licensed psychologist; and



(b) Provided for a person diagnosed with an autism spectrum disorder by a licensed physician, licensed psychologist, licensed behavior analyst or other provider that is supervised by the licensed physician, psychologist or behavior analyst.

↳ An insurer may request a copy of and review a treatment plan created pursuant to this subsection.

6. Nothing in this section shall be construed as requiring an insurer to provide reimbursement to an early intervention agency or school for services delivered through early intervention or school services.

7. As used in this section:

(a) "Applied behavior analysis" means the design, implementation and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including, without limitation, the use of direct observation, measurement and functional analysis of the relations between environment and behavior.

(b) "Autism behavior interventionist" means a person who is registered as a Registered Behavior Technician or an equivalent credential by the Behavior Analyst Certification Board, Inc., or its successor organization, and provides behavioral therapy under the supervision of:

(1) A licensed psychologist;

(2) A licensed behavior analyst; or

(3) A licensed assistant behavior analyst.

(c) "Autism spectrum ~~{disorders}~~" ~~means a neurobiological medical condition including, without limitation, autistic disorder, Asperger's Disorder and Pervasive Developmental Disorder Not Otherwise Specified.~~ *disorder" has the meaning ascribed to it in NRS 427A.875.*

(d) "Behavioral therapy" means any interactive therapy derived from evidence-based research, including, without limitation, discrete trial training, early intensive behavioral intervention, intensive intervention programs, pivotal response training and verbal behavior provided by a licensed psychologist, licensed behavior analyst, licensed assistant behavior analyst or autism behavior interventionist.

(e) "Evidence-based research" means research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to autism spectrum disorders.

(f) "Habilitative or rehabilitative care" means counseling, guidance and professional services and treatment programs, including, without limitation, applied behavior analysis, that are



1 necessary to develop, maintain and restore, to the maximum extent
2 practicable, the functioning of a person.

3 (g) "Licensed assistant behavior analyst" means a person who
4 holds current certification or meets the standards to be certified as a
5 board certified assistant behavior analyst issued by the Behavior
6 Analyst Certification Board, Inc., or any successor in interest to that
7 organization, who is licensed as an assistant behavior analyst by the
8 Board of Psychological Examiners and who provides behavioral
9 therapy under the supervision of a licensed behavior analyst or
10 psychologist.

11 (h) "Licensed behavior analyst" means a person who holds
12 current certification or meets the standards to be certified as a board
13 certified behavior analyst or a board certified assistant behavior
14 analyst issued by the Behavior Analyst Certification Board, Inc., or
15 any successor in interest to that organization, and who is licensed as
16 a behavior analyst by the Board of Psychological Examiners.

17 (i) "Prescription care" means medications prescribed by a
18 licensed physician and any health-related services deemed medically
19 necessary to determine the need or effectiveness of the medications.

20 (j) "Psychiatric care" means direct or consultative services
21 provided by a psychiatrist licensed in the state in which the
22 psychiatrist practices.

23 (k) "Psychological care" means direct or consultative services
24 provided by a psychologist licensed in the state in which the
25 psychologist practices.

26 (l) "Screening for autism spectrum disorders" means medically
27 necessary assessments, evaluations or tests to screen and diagnose
28 whether a person has an autism spectrum disorder.

29 (m) "Therapeutic care" means services provided by licensed or
30 certified speech-language pathologists, occupational therapists and
31 physical therapists.

32 (n) "Treatment plan" means a plan to treat an autism spectrum
33 disorder that is prescribed by a licensed physician or licensed
34 psychologist and may be developed pursuant to a comprehensive
35 evaluation in coordination with a licensed behavior analyst.

36 **Sec. 4.** NRS 689B.0335 is hereby amended to read as follows:

37 689B.0335 1. A health benefit plan must provide coverage
38 for screening for and diagnosis of autism spectrum disorders and for
39 treatment of autism spectrum disorders to persons covered by the
40 policy of group health insurance under the age of 18 years or, if
41 enrolled in high school, until the person reaches the age of 22 years.

42 2. Coverage provided under this section is subject to:

43 (a) A maximum benefit of the actuarial equivalent of \$72,000
44 per year for applied behavior analysis treatment; and



(b) Copayment, deductible and coinsurance provisions and any other general exclusion or limitation of a policy of group health insurance to the same extent as other medical services or prescription drugs covered by the policy.

3. A health benefit plan that offers or issues a policy of group health insurance which provides coverage for outpatient care shall not:

(a) Require an insured to pay a higher deductible, copayment or coinsurance or require a longer waiting period for coverage for outpatient care related to autism spectrum disorders than is required for other outpatient care covered by the policy; or

(b) Refuse to issue a policy of group health insurance or cancel a policy of group health insurance solely because the person applying for or covered by the policy uses or may use in the future any of the services listed in subsection 1.

4. Except as otherwise provided in subsections 1 and 2, an insurer shall not limit the number of visits an insured may make to any person, entity or group for treatment of autism spectrum disorders.

5. Treatment of autism spectrum disorders must be identified in a treatment plan and may include medically necessary habilitative or rehabilitative care, prescription care, psychiatric care, psychological care, behavioral therapy or therapeutic care that is:

(a) Prescribed for a person diagnosed with an autism spectrum disorder by a licensed physician or licensed psychologist; and

(b) Provided for a person diagnosed with an autism spectrum disorder by a licensed physician, licensed psychologist, licensed behavior analyst or other provider that is supervised by the licensed physician, psychologist or behavior analyst.

↪ An insurer may request a copy of and review a treatment plan created pursuant to this subsection.

6. A policy subject to the provisions of this chapter that is delivered, issued for delivery or renewed on or after January 1, 2011, has the legal effect of including the coverage required by subsection 1, and any provision of the policy or the renewal which is in conflict with subsection 1 or 2 is void.

7. Nothing in this section shall be construed as requiring an insurer to provide reimbursement to an early intervention agency or school for services delivered through early intervention or school services.

8. As used in this section:

(a) "Applied behavior analysis" means the design, implementation and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including, without



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1 limitation, the use of direct observation, measurement and
2 functional analysis of the relations between environment and
3 behavior.

4 (b) “Autism behavior interventionist” means a person who is
5 registered as a Registered Behavior Technician or an equivalent
6 credential by the Behavior Analyst Certification Board, Inc., or its
7 successor organization, and provides behavioral therapy under the
8 supervision of:

- 9 (1) A licensed psychologist;
10 (2) A licensed behavior analyst; or
11 (3) A licensed assistant behavior analyst.

12 (c) “Autism spectrum ~~disorders~~” ~~means a neurobiological~~
13 ~~medical condition including, without limitation, autistic disorder,~~
14 ~~Asperger’s Disorder and Pervasive Developmental Disorder Not~~
15 ~~Otherwise Specified.] disorder” has the meaning ascribed to it in~~
16 ~~NRS 427A.875.~~

17 (d) “Behavioral therapy” means any interactive therapy derived
18 from evidence-based research, including, without limitation, discrete
19 trial training, early intensive behavioral intervention, intensive
20 intervention programs, pivotal response training and verbal behavior
21 provided by a licensed psychologist, licensed behavior analyst,
22 licensed assistant behavior analyst or autism behavior
23 interventionist.

24 (e) “Evidence-based research” means research that applies
25 rigorous, systematic and objective procedures to obtain valid
26 knowledge relevant to autism spectrum disorders.

27 (f) “Habilitative or rehabilitative care” means counseling,
28 guidance and professional services and treatment programs,
29 including, without limitation, applied behavior analysis, that are
30 necessary to develop, maintain and restore, to the maximum extent
31 practicable, the functioning of a person.

32 (g) “Licensed assistant behavior analyst” means a person who
33 holds current certification or meets the standards to be certified as a
34 board certified assistant behavior analyst issued by the Behavior
35 Analyst Certification Board, Inc., or any successor in interest to that
36 organization, who is licensed as an assistant behavior analyst by the
37 Board of Psychological Examiners and who provides behavioral
38 therapy under the supervision of a licensed behavior analyst or
39 psychologist.

40 (h) “Licensed behavior analyst” means a person who holds
41 current certification or meets the standards to be certified as a board
42 certified behavior analyst or a board certified assistant behavior
43 analyst issued by the Behavior Analyst Certification Board, Inc., or
44 any successor in interest to that organization and who is licensed as
45 a behavior analyst by the Board of Psychological Examiners.



(i) "Prescription care" means medications prescribed by a licensed physician and any health-related services deemed medically necessary to determine the need or effectiveness of the medications.

(j) "Psychiatric care" means direct or consultative services provided by a psychiatrist licensed in the state in which the psychiatrist practices.

(k) "Psychological care" means direct or consultative services provided by a psychologist licensed in the state in which the psychologist practices.

(l) "Screening for autism spectrum disorders" means medically necessary assessments, evaluations or tests to screen and diagnose whether a person has an autism spectrum disorder.

(m) "Therapeutic care" means services provided by licensed or certified speech-language pathologists, occupational therapists and physical therapists.

(n) "Treatment plan" means a plan to treat an autism spectrum disorder that is prescribed by a licensed physician or licensed psychologist and may be developed pursuant to a comprehensive evaluation in coordination with a licensed behavior analyst.

Sec. 5. NRS 689C.1655 is hereby amended to read as follows:

689C.1655 1. A health benefit plan must provide coverage for screening for and diagnosis of autism spectrum disorders and for treatment of autism spectrum disorders to persons covered by the health benefit plan under the age of 18 years or, if enrolled in high school, until the person reaches the age of 22 years.

2. Coverage provided under this section is subject to:

(a) A maximum benefit of the actuarial equivalent of \$72,000 per year for applied behavior analysis treatment; and

(b) Copayment, deductible and coinsurance provisions and any other general exclusion or limitation of a health benefit plan to the same extent as other medical services or prescription drugs covered by the plan.

3. A health benefit plan that offers or issues a policy of group health insurance which provides coverage for outpatient care shall not:

(a) Require an insured to pay a higher deductible, copayment or coinsurance or require a longer waiting period for coverage for outpatient care related to autism spectrum disorders than is required for other outpatient care covered by the plan; or

(b) Refuse to issue a health benefit plan or cancel a health benefit plan solely because the person applying for or covered by the plan uses or may use in the future any of the services listed in subsection 1.

4. Except as otherwise provided in subsections 1 and 2, a carrier shall not limit the number of visits an insured may make to



1 any person, entity or group for treatment of autism spectrum
2 disorders.

3 5. Treatment of autism spectrum disorders must be identified in
4 a treatment plan and may include medically necessary habilitative or
5 rehabilitative care, prescription care, psychiatric care, psychological
6 care, behavioral therapy or therapeutic care that is:

7 (a) Prescribed for a person diagnosed with an autism spectrum
8 disorder by a licensed physician or licensed psychologist; and

9 (b) Provided for a person diagnosed with an autism spectrum
10 disorder by a licensed physician, licensed psychologist, licensed
11 behavior analyst or other provider that is supervised by the licensed
12 physician, psychologist or behavior analyst.

13 ➔ A carrier may request a copy of and review a treatment plan
14 created pursuant to this subsection.

15 6. A health benefit plan subject to the provisions of this chapter
16 that is delivered, issued for delivery or renewed on or after
17 January 1, 2011, has the legal effect of including the coverage
18 required by subsection 1, and any provision of the plan or the
19 renewal which is in conflict with subsection 1 or 2 is void.

20 7. Nothing in this section shall be construed as requiring a
21 carrier to provide reimbursement to an early intervention agency or
22 school for services delivered through early intervention or school
23 services.

24 8. As used in this section:

25 (a) "Applied behavior analysis" means the design,
26 implementation and evaluation of environmental modifications
27 using behavioral stimuli and consequences to produce socially
28 significant improvement in human behavior, including, without
29 limitation, the use of direct observation, measurement and
30 functional analysis of the relations between environment and
31 behavior.

32 (b) "Autism behavior interventionist" means a person who is
33 registered as a Registered Behavior Technician or an equivalent
34 credential by the Behavior Analyst Certification Board, Inc., or its
35 successor organization, and provides behavioral therapy under the
36 supervision of:

37 (1) A licensed psychologist;

38 (2) A licensed behavior analyst; or

39 (3) A licensed assistant behavior analyst.

40 (c) "~~Autism spectrum disorders~~" ~~means a neurobiological~~
41 ~~medical condition including, without limitation, autistic disorder,~~
42 ~~Asperger's Disorder and Pervasive Developmental Disorder Not~~
43 ~~Otherwise Specified.] disorder" has the meaning ascribed to it in~~
44 *NRS 427A.875.*



(d) “Behavioral therapy” means any interactive therapy derived from evidence-based research, including, without limitation, discrete trial training, early intensive behavioral intervention, intensive intervention programs, pivotal response training and verbal behavior provided by a licensed psychologist, licensed behavior analyst, licensed assistant behavior analyst or autism behavior interventionist.

(e) “Evidence-based research” means research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to autism spectrum disorders.

(f) “Habilitative or rehabilitative care” means counseling, guidance and professional services and treatment programs, including, without limitation, applied behavior analysis, that are necessary to develop, maintain and restore, to the maximum extent practicable, the functioning of a person.

(g) “Licensed assistant behavior analyst” means a person who holds current certification or meets the standards to be certified as a board certified assistant behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization, who is licensed as an assistant behavior analyst by the Board of Psychological Examiners and who provides behavioral therapy under the supervision of a licensed behavior analyst or psychologist.

(h) “Licensed behavior analyst” means a person who holds current certification or meets the standards to be certified as a board certified behavior analyst or a board certified assistant behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization and who is licensed as a behavior analyst by the Board of Psychological Examiners.

(i) “Prescription care” means medications prescribed by a licensed physician and any health-related services deemed medically necessary to determine the need or effectiveness of the medications.

(j) “Psychiatric care” means direct or consultative services provided by a psychiatrist licensed in the state in which the psychiatrist practices.

(k) “Psychological care” means direct or consultative services provided by a psychologist licensed in the state in which the psychologist practices.

(l) “Screening for autism spectrum disorders” means medically necessary assessments, evaluations or tests to screen and diagnose whether a person has an autism spectrum disorder.

(m) “Therapeutic care” means services provided by licensed or certified speech-language pathologists, occupational therapists and physical therapists.



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(n) "Treatment plan" means a plan to treat an autism spectrum disorder that is prescribed by a licensed physician or licensed psychologist and may be developed pursuant to a comprehensive evaluation in coordination with a licensed behavior analyst.

Sec. 6. NRS 695C.1717 is hereby amended to read as follows:

695C.1717 1. A health care plan issued by a health maintenance organization must provide coverage for screening for and diagnosis of autism spectrum disorders and for treatment of autism spectrum disorders to persons covered by the health care plan under the age of 18 years or, if enrolled in high school, until the person reaches the age of 22 years.

2. Coverage provided under this section is subject to:

(a) A maximum benefit of the actuarial equivalent of \$72,000 per year for applied behavior analysis treatment; and

(b) Copayment, deductible and coinsurance provisions and any other general exclusion or limitation of a health care plan to the same extent as other medical services or prescription drugs covered by the plan.

3. A health care plan issued by a health maintenance organization that provides coverage for outpatient care shall not:

(a) Require an enrollee to pay a higher deductible, copayment or coinsurance or require a longer waiting period for coverage for outpatient care related to autism spectrum disorders than is required for other outpatient care covered by the plan; or

(b) Refuse to issue a health care plan or cancel a health care plan solely because the person applying for or covered by the plan uses or may use in the future any of the services listed in subsection 1.

4. Except as otherwise provided in subsections 1 and 2, a health maintenance organization shall not limit the number of visits an enrollee may make to any person, entity or group for treatment of autism spectrum disorders.

5. Treatment of autism spectrum disorders must be identified in a treatment plan and may include medically necessary habilitative or rehabilitative care, prescription care, psychiatric care, psychological care, behavioral therapy or therapeutic care that is:

(a) Prescribed for a person diagnosed with an autism spectrum disorder by a licensed physician or licensed psychologist; and

(b) Provided for a person diagnosed with an autism spectrum disorder by a licensed physician, licensed psychologist, licensed behavior analyst or other provider that is supervised by the licensed physician, psychologist or behavior analyst.

↪ A health maintenance organization may request a copy of and review a treatment plan created pursuant to this subsection.

6. Evidence of coverage subject to the provisions of this chapter that is delivered, issued for delivery or renewed on or after



January 1, 2011, has the legal effect of including the coverage required by subsection 1, and any provision of the evidence of coverage or the renewal which is in conflict with subsection 1 or 2 is void.

7. Nothing in this section shall be construed as requiring a health maintenance organization to provide reimbursement to an early intervention agency or school for services delivered through early intervention or school services.

8. As used in this section:

(a) "Applied behavior analysis" means the design, implementation and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including, without limitation, the use of direct observation, measurement and functional analysis of the relations between environment and behavior.

(b) "Autism behavior interventionist" means a person who is registered as a Registered Behavior Technician or an equivalent credential by the Behavior Analyst Certification Board, Inc., or its successor organization, and provides behavioral therapy under the supervision of:

- (1) A licensed psychologist;
- (2) A licensed behavior analyst; or
- (3) A licensed assistant behavior analyst.

(c) "Autism spectrum ~~disorders~~ means a neurobiological medical condition including, without limitation, autistic disorder, Asperger's Disorder and Pervasive Developmental Disorder Not Otherwise Specified." *disorder* has the meaning ascribed to it in NRS 427A.875.

(d) "Behavioral therapy" means any interactive therapy derived from evidence-based research, including, without limitation, discrete trial training, early intensive behavioral intervention, intensive intervention programs, pivotal response training and verbal behavior provided by a licensed psychologist, licensed behavior analyst, licensed assistant behavior analyst or autism behavior interventionist.

(e) "Evidence-based research" means research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to autism spectrum disorders.

(f) "Habilitative or rehabilitative care" means counseling, guidance and professional services and treatment programs, including, without limitation, applied behavior analysis, that are necessary to develop, maintain and restore, to the maximum extent practicable, the functioning of a person.



(g) "Licensed assistant behavior analyst" means a person who holds current certification or meets the standards to be certified as a board certified assistant behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization, who is licensed as an assistant behavior analyst by the Board of Psychological Examiners and who provides behavioral therapy under the supervision of a licensed behavior analyst or psychologist.

(h) "Licensed behavior analyst" means a person who holds current certification or meets the standards to be certified as a board certified behavior analyst or a board certified assistant behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization and who is licensed as a behavior analyst by the Board of Psychological Examiners.

(i) "Prescription care" means medications prescribed by a licensed physician and any health-related services deemed medically necessary to determine the need or effectiveness of the medications.

(j) "Psychiatric care" means direct or consultative services provided by a psychiatrist licensed in the state in which the psychiatrist practices.

(k) "Psychological care" means direct or consultative services provided by a psychologist licensed in the state in which the psychologist practices.

(l) "Screening for autism spectrum disorders" means medically necessary assessments, evaluations or tests to screen and diagnose whether a person has an autism spectrum disorder.

(m) "Therapeutic care" means services provided by licensed or certified speech-language pathologists, occupational therapists and physical therapists.

(n) "Treatment plan" means a plan to treat an autism spectrum disorder that is prescribed by a licensed physician or licensed psychologist and may be developed pursuant to a comprehensive evaluation in coordination with a licensed behavior analyst.

Sec. 7. NRS 695G.1645 is hereby amended to read as follows:

695G.1645 1. A health care plan issued by a managed care organization for group coverage must provide coverage for screening for and diagnosis of autism spectrum disorders and for treatment of autism spectrum disorders to persons covered by the health care plan under the age of 18 years or, if enrolled in high school, until the person reaches the age of 22 years.

2. A health care plan issued by a managed care organization for individual coverage must provide an option for coverage for screening for and diagnosis of autism spectrum disorders and for treatment of autism spectrum disorders to persons covered by the



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1 health care plan under the age of 18 years or, if enrolled in high
2 school, until the person reaches the age of 22 years.

3 3. Coverage provided under this section is subject to:

4 (a) A maximum benefit of the actuarial equivalent of \$72,000
5 per year for applied behavior analysis treatment; and

6 (b) Copayment, deductible and coinsurance provisions and any
7 other general exclusion or limitation of a health care plan to the
8 same extent as other medical services or prescription drugs covered
9 by the plan.

10 4. A managed care organization that offers or issues a health
11 care plan which provides coverage for outpatient care shall not:

12 (a) Require an insured to pay a higher deductible, copayment or
13 coinsurance or require a longer waiting period for coverage for
14 outpatient care related to autism spectrum disorders than is required
15 for other outpatient care covered by the plan; or

16 (b) Refuse to issue a health care plan or cancel a health care plan
17 solely because the person applying for or covered by the plan uses
18 or may use in the future any of the services listed in subsection 1.

19 5. Except as otherwise provided in subsections 1, 2 and 3, a
20 managed care organization shall not limit the number of visits an
21 insured may make to any person, entity or group for treatment of
22 autism spectrum disorders.

23 6. Treatment of autism spectrum disorders must be identified in
24 a treatment plan and may include medically necessary habilitative or
25 rehabilitative care, prescription care, psychiatric care, psychological
26 care, behavioral therapy or therapeutic care that is:

27 (a) Prescribed for a person diagnosed with an autism spectrum
28 disorder by a licensed physician or licensed psychologist; and

29 (b) Provided for a person diagnosed with an autism spectrum
30 disorder by a licensed physician, licensed psychologist, licensed
31 behavior analyst or other provider that is supervised by the licensed
32 physician, psychologist or behavior analyst.

33 ➤ A managed care organization may request a copy of and review a
34 treatment plan created pursuant to this subsection.

35 7. An evidence of coverage subject to the provisions of this
36 chapter that is delivered, issued for delivery or renewed on or after
37 January 1, 2011, has the legal effect of including the coverage
38 required by subsection 1, and any provision of the evidence of
39 coverage or the renewal which is in conflict with subsection 1 or 3 is
40 void.

41 8. Nothing in this section shall be construed as requiring a
42 managed care organization to provide reimbursement to an early
43 intervention agency or school for services delivered through early
44 intervention or school services.

45 9. As used in this section:



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(a) “Applied behavior analysis” means the design, implementation and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including, without limitation, the use of direct observation, measurement and functional analysis of the relations between environment and behavior.

(b) “Autism behavior interventionist” means a person who is registered as a Registered Behavior Technician or an equivalent credential by the Behavior Analyst Certification Board, Inc., or its successor organization, and provides behavioral therapy under the supervision of:

- (1) A licensed psychologist;
- (2) A licensed behavior analyst; or
- (3) A licensed assistant behavior analyst.

(c) “Autism spectrum ~~{disorders}~~” ~~means a neurobiological medical condition including, without limitation, autistic disorder, Asperger’s Disorder and Pervasive Developmental Disorder Not Otherwise Specified.~~ *disorder” has the meaning ascribed to it in NRS 427A.875.*

(d) “Behavioral therapy” means any interactive therapy derived from evidence-based research, including, without limitation, discrete trial training, early intensive behavioral intervention, intensive intervention programs, pivotal response training and verbal behavior provided by a licensed psychologist, licensed behavior analyst, licensed assistant behavior analyst or autism behavior interventionist.

(e) “Evidence-based research” means research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to autism spectrum disorders.

(f) “Habilitative or rehabilitative care” means counseling, guidance and professional services and treatment programs, including, without limitation, applied behavior analysis, that are necessary to develop, maintain and restore, to the maximum extent practicable, the functioning of a person.

(g) “Licensed assistant behavior analyst” means a person who holds current certification or meets the standards to be certified as a board certified assistant behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization, who is licensed as an assistant behavior analyst by the Board of Psychological Examiners and who provides behavioral therapy under the supervision of a licensed behavior analyst or psychologist.

(h) “Licensed behavior analyst” means a person who holds current certification or meets the standards to be certified as a board



1 certified behavior analyst or a board certified assistant behavior
2 analyst issued by the Behavior Analyst Certification Board, Inc., or
3 any successor in interest to that organization and who is licensed as
4 a behavior analyst by the Board of Psychological Examiners.

5 (i) “Prescription care” means medications prescribed by a
6 licensed physician and any health-related services deemed medically
7 necessary to determine the need or effectiveness of the medications.

8 (j) “Psychiatric care” means direct or consultative services
9 provided by a psychiatrist licensed in the state in which the
10 psychiatrist practices.

11 (k) “Psychological care” means direct or consultative services
12 provided by a psychologist licensed in the state in which the
13 psychologist practices.

14 (l) “Screening for autism spectrum disorders” means medically
15 necessary assessments, evaluations or tests to screen and diagnose
16 whether a person has an autism spectrum disorder.

17 (m) “Therapeutic care” means services provided by licensed or
18 certified speech-language pathologists, occupational therapists and
19 physical therapists.

20 (n) “Treatment plan” means a plan to treat an autism spectrum
21 disorder that is prescribed by a licensed physician or licensed
22 psychologist and may be developed pursuant to a comprehensive
23 evaluation in coordination with a licensed behavior analyst.

24 **Sec. 8.** This act becomes effective on July 1, 2017.



