

By: LaMantia

S.B. No. 2176

A BILL TO BE ENTITLED

AN ACT

relating to health benefit plan coverage for treatment of autism.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1355.001(3), Insurance Code, is amended to read as follows:

(3) "Autism spectrum disorder" means:

(A) a neurobiological disorder or developmental disability that significantly affects verbal communication, nonverbal communication, and social interaction and that meets the diagnostic criteria for autism spectrum disorder specified by the Diagnostic and Statistical Manual of Mental Disorders, 5th edition, or a later edition; or

(B) a diagnosis made using a previous edition of the Diagnostic and Statistical Manual of Mental Disorders of ~~[includes]~~ autism, Asperger's syndrome, or Pervasive Developmental Disorder--Not Otherwise Specified.

SECTION 2. Sections 1355.015(a-1) and (c-1), Insurance Code, are amended to read as follows:

(a-1) At a minimum, a health benefit plan must provide coverage for treatment of autism spectrum disorder as provided by this section to an enrollee who is diagnosed with autism spectrum disorder from the date of diagnosis ~~[, only if the diagnosis was in place prior to the child's 10th birthday]~~.

(c-1) The health benefit plan may ~~[is]~~ not require ~~[required]~~

1 ~~to provide coverage under Subsection (b) for benefits for] an~~  
2 enrollee to be evaluated for autism spectrum disorder more than  
3 once every 10 years [~~of age or older for applied behavior analysis~~  
4 ~~in an amount that exceeds \$36,000 per year].~~

5 SECTION 3. The changes in law made by this Act apply only to  
6 a health benefit plan delivered, issued for delivery, or renewed on  
7 or after January 1, 2024. A health benefit plan delivered, issued  
8 for delivery, or renewed before January 1, 2024, is governed by the  
9 law as it existed immediately before the effective date of this Act,  
10 and that law is continued in effect for that purpose.

11 SECTION 4. This Act takes effect September 1, 2023.