

BILL ANALYSIS

H.B. 813
By: Cortez
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that many health insurance providers would welcome updated legal definitions of "autism spectrum disorder" and clarification regarding the responsibilities of insurance providers for provision of treatments for autism spectrum disorder. The bill author has also informed the committee that while knowledge of these disorders has increased, the state's statutory language has not, and that outdated Insurance Code provisions have left people who were diagnosed after 10 years of age excluded from coverage. H.B. 813 seeks to address these issues by updating the definition of "autism spectrum disorder" for purposes of health benefit plan coverage and by prohibiting a health benefit plan from limiting coverage for applicable autism spectrum disorder services for any enrollee.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 813 amends the Insurance Code to change the definition of "autism spectrum disorder" used for purposes of statutory provisions regarding health benefit plan coverage for treatment of that disorder from a neurobiological disorder that includes autism, Asperger's syndrome, or Pervasive Developmental Disorder--Not Otherwise Specified to the following:

- a neurobiological disorder 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
- a diagnosis of autism, Asperger's syndrome, or Pervasive Developmental Disorder--Not Otherwise Specified made using a previous edition of the Diagnostic and Statistical Manual of Mental Disorders.

With respect to the coverage that a health benefit plan is required to provide for services prescribed for the treatment of autism spectrum disorder, H.B. 813 makes the following changes:

- removes language making the requirement for a health benefit plan to provide such coverage to an enrollee who is diagnosed with autism spectrum disorder from the date of diagnosis applicable only if the diagnosis was in place prior to the child's 10th birthday; and

- removes the provision establishing that a health benefit plan is not required to provide coverage for benefits for an enrollee 10 years of age or older for applied behavior analysis in an amount that exceeds \$36,000 per year.

The bill expressly prohibits a health benefit plan from limiting coverage for applicable autism spectrum disorder services for any enrollee.

H.B. 813 applies only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2026. A health benefit plan delivered, issued for delivery, or renewed before that date is governed by the law as it existed immediately before the bill's effective date, and that law is continued in effect for those purposes.

EFFECTIVE DATE

September 1, 2025.