

Regular Session, 2012

HOUSE BILL NO. 771

BY REPRESENTATIVES FOIL, BROSSETT, CONNICK, DOVE, HAZEL, HUVAL,  
LAMBERT, LEGER, MACK, MORENO, PUGH, THIBAUT, THIERRY, AND  
PATRICK WILLIAMS

INSURANCE/HEALTH: Provides relative to the mandate for coverage of diagnosis and  
treatment of autism spectrum disorders

1 AN ACT

2 To amend and reenact R.S. 22:1050(A)(1) and (D)(1) and to repeal R.S. 22:1050(H)(1),  
3 relative to the mandate for coverage of diagnosis and treatment of autism spectrum  
4 disorders; to raise the age for such coverage; to eliminate the limitation on lifetime  
5 benefits; to provide relative to applicability; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1050(A)(1) and (D)(1) are hereby amended and reenacted to read  
8 as follows:

9 §1050. Requirement for coverage of diagnosis and treatment of autism spectrum  
10 disorders in individuals less than ~~seventeen~~ twenty-one years of age

11 A.(1) Except as otherwise provided in Subsection H of this Section, any  
12 health coverage plan specified in Paragraph (G)(6) of this Section which is issued for  
13 delivery, delivered, renewed, or otherwise contracted for in this state on or after  
14 January 1, ~~2009~~, 2014, shall provide coverage for the diagnosis and treatment of  
15 autism spectrum disorders in individuals less than ~~seventeen~~ twenty-one years of age.

16 \* \* \*

17 D.(1) Coverage under this Section shall be subject to a maximum benefit of  
18 thirty-six thousand dollars per year, ~~and a lifetime maximum benefit of one hundred~~  
19 ~~forty-four thousand dollars.~~

20 \* \* \*

1 Section 2. R.S. 22:1050(H)(1) is hereby repealed in its entirety.

2 Section 3. To the extent that the provisions of this Act require benefits that exceed  
3 the essential health benefits specified under Section 1302(b) of the Patient Protection and  
4 Affordable Care Act, Public Law No. 111-148, as amended, the specific benefits that exceed  
5 the specified essential health benefits shall not be required of a health benefit plan when the  
6 plan is offered by a health care insurer in this state.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Foil

HB No. 771

**Abstract:** Raises age for mandated health insurance coverage of autism spectrum disorders from 17 to 21, eliminates lifetime maximum benefit of \$144,000, provides relative to supervision of treatment, and provides for applicability.

Proposed law changes present law relative to mandated health insurance coverage of autism spectrum disorders as follows:

- (1) Present law provides that such mandated coverage applies only to individuals less than 17 years of age.

Proposed law raises the age for such mandated coverage so that it applies only to individuals less than 21 years of age.

- (2) Present law imposes an annual maximum benefit of \$36,000 and a lifetime maximum benefit of \$144,000.

Proposed law eliminates the lifetime maximum benefit of \$144,000.

- (3) Present law requires coverage for the diagnosis and treatment of autism spectrum disorders for any health plan issued for delivery, delivered, renewed, or contracted for on or after Jan. 1, 2009.

- (4) Present law provides that such mandated coverage shall not apply to any coverage plan issued to an employer with 50 or fewer employees.

Proposed law deletes this present law exclusion.

Proposed law otherwise retains present law but changes the implementation date to Jan. 1, 2014.

(Amends R.S. 22:1050(A)(1) and (D)(1); Repeals R.S. 22:1050(H)(1))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Insurance to the original bill.

1. Provided that any provisions of proposed law that would exceed the essential health benefits provided pursuant to the federal Patient Protection Affordable Care Act shall not be required of a health benefit plan that is offered by a health care insurer in this state.
2. Delayed the implementation date of proposed law from plans delivered, renewed, or issued for delivery on or after Jan. 1, 2013 to those plans delivered, renewed, or issued for delivery on or after Jan. 1, 2014.
3. Restored the definition of "treatment of autism spectrum disorders" used in present law which requires that such treatment be supervised by a physician or psychologist licensed in this state.
4. Restored exclusion of present law that such mandated coverage does not apply to individually underwritten guaranteed renewable health insurance policies.