

SUBSTITUTE FOR
HOUSE BILL NO. 4476

(As amended June 24, 2009)

A bill to amend 1980 PA 350, entitled
"The nonprofit health care corporation reform act,"
(MCL 550.1101 to 550.1704) by adding section 416e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 416E. (1) A HEALTH CARE CORPORATION GROUP []]
2 CERTIFICATE SHALL PROVIDE COVERAGE FOR THE DIAGNOSIS AND TREATMENT
3 OF AUTISM SPECTRUM DISORDERS.
4 (2) COVERAGE UNDER THIS SECTION IS NOT SUBJECT TO LIMITS ON
5 THE NUMBER OF VISITS A MEMBER MAY MAKE TO AN AUTISM SERVICES
6 PROVIDER.
7 (3) EXCEPT AS PROVIDED IN SUBSECTION (4), COVERAGE UNDER THIS
8 SECTION SHALL NOT BE SUBJECT TO DOLLAR LIMITS, COPAYS, DEDUCTIBLES,
9 OR COINSURANCE PROVISIONS THAT DO NOT APPLY TO PHYSICAL ILLNESS
10 GENERALLY.

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1 (4) COVERAGE UNDER THIS SECTION FOR APPLIED BEHAVIOR ANALYSIS
2 MAY BE SUBJECT TO A MAXIMUM ANNUAL BENEFIT OF \$50,000.00. [
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8 (5) THIS SECTION SHALL NOT BE CONSTRUED AS LIMITING BENEFITS
9 THAT ARE OTHERWISE AVAILABLE TO A MEMBER UNDER A CERTIFICATE.

10 (6) IF A MEMBER IS RECEIVING TREATMENT FOR AUTISM SPECTRUM
11 DISORDER, A HEALTH CARE CORPORATION MAY REQUEST A REVIEW OF THAT
12 TREATMENT CONSISTENT WITH CURRENT PROTOCOLS AND MAY REQUIRE A
13 TREATMENT PLAN. THE COST OF OBTAINING A TREATMENT REVIEW SHALL BE
14 BORNE BY THE HEALTH CARE CORPORATION. [A HEALTH CARE CORPORATION SHALL
UTILIZE EVIDENCE-BASED CARE AND MANAGED CARE COST-CONTAINMENT PRACTICES
IN ACCORDANCE WITH THE HEALTH CARE CORPORATION'S PROCEDURES.]

15 (7) AS USED IN THIS SECTION:

16 (A) "APPLIED BEHAVIOR ANALYSIS" MEANS THE DESIGN,
17 IMPLEMENTATION, AND EVALUATION OF ENVIRONMENTAL MODIFICATIONS,
18 USING BEHAVIORAL STIMULI AND CONSEQUENCES, TO PRODUCE SIGNIFICANT
19 IMPROVEMENT IN HUMAN BEHAVIOR, INCLUDING THE USE OF DIRECT
20 OBSERVATION, MEASUREMENT, AND FUNCTIONAL ANALYSIS OF THE RELATIONS
21 BETWEEN ENVIRONMENT AND BEHAVIOR.

22 (B) "AUTISM SERVICES PROVIDER" MEANS A LICENSED PHYSICIAN, A
23 LICENSED PSYCHOLOGIST, OR A BEHAVIOR ANALYST CERTIFIED BY THE
24 BEHAVIOR ANALYST CERTIFICATION BOARD, OR AN INDIVIDUAL SUPERVISED
25 BY THE PHYSICIAN, PSYCHOLOGIST, OR BEHAVIOR ANALYST, WHO PROVIDES
26 TREATMENT OF AUTISM SPECTRUM DISORDERS.

27 (C) "AUTISM SPECTRUM DISORDER" MEANS ANY OF THE FOLLOWING

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1 PERVASIVE DEVELOPMENTAL DISORDERS:

2 (i) AUTISTIC DISORDER.

3 (ii) ASPERGER'S DISORDER.

4 (iii) PERVASIVE DEVELOPMENTAL DISORDER NOT OTHERWISE SPECIFIED.

5 (D) "DIAGNOSIS OF AUTISM SPECTRUM DISORDERS" MEANS

6 ASSESSMENTS, EVALUATIONS, OR TESTS PERFORMED BY A LICENSED

7 PHYSICIAN OR A LICENSED PSYCHOLOGIST TO DIAGNOSE WHETHER AN

8 INDIVIDUAL HAS 1 OF THE AUTISM SPECTRUM DISORDERS.

9 (E) "HABILITATIVE OR REHABILITATIVE CARE" MEANS PROFESSIONAL,

10 COUNSELING, AND GUIDANCE SERVICES AND TREATMENT PROGRAMS, INCLUDING

11 APPLIED BEHAVIOR ANALYSIS, THAT ARE NECESSARY TO DEVELOP, MAINTAIN,

12 AND RESTORE, TO THE MAXIMUM EXTENT PRACTICABLE, THE FUNCTIONING OF

13 AN INDIVIDUAL.

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20 (F) "PHARMACY CARE" MEANS MEDICATIONS PRESCRIBED BY A LICENSED

21 PHYSICIAN AND RELATED SERVICES PERFORMED BY A LICENSED PHARMACIST

22 AND ANY HEALTH-RELATED SERVICES CONSIDERED MEDICALLY NECESSARY TO

23 DETERMINE THE NEED OR EFFECTIVENESS OF THE MEDICATIONS.

24 [(G)] "PSYCHIATRIC CARE" MEANS DIRECT OR CONSULTATIVE SERVICES

25 PROVIDED BY A PSYCHIATRIST LICENSED IN THE STATE IN WHICH THE

26 PSYCHIATRIST PRACTICES.

27 [(H)] "PSYCHOLOGICAL CARE" MEANS DIRECT OR CONSULTATIVE SERVICES

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1 PROVIDED BY A PSYCHOLOGIST LICENSED IN THE STATE IN WHICH THE
2 PSYCHOLOGIST PRACTICES.

3 [(I)] "THERAPEUTIC CARE" MEANS SERVICES PROVIDED BY A LICENSED
4 OR CERTIFIED SPEECH THERAPIST, OCCUPATIONAL THERAPIST, PHYSICAL
5 THERAPIST, OR SOCIAL WORKER.

6 [(J)] "TREATMENT FOR AUTISM SPECTRUM DISORDERS" MEANS EVIDENCE-
7 BASED TREATMENT THAT INCLUDES THE FOLLOWING CARE PRESCRIBED,
8 PROVIDED, OR ORDERED FOR AN INDIVIDUAL DIAGNOSED WITH 1 OF THE
9 AUTISM SPECTRUM DISORDERS BY A LICENSED PHYSICIAN OR A LICENSED
10 PSYCHOLOGIST WHO DETERMINES THE CARE TO BE MEDICALLY NECESSARY:

11 (i) HABILITATIVE OR REHABILITATIVE CARE.

12 (ii) PHARMACY CARE.

13 (iii) PSYCHIATRIC CARE.

14 (iv) PSYCHOLOGICAL CARE.

15 (v) THERAPEUTIC CARE.

16 [(K)] "TREATMENT PLAN" MEANS A WRITTEN COMPREHENSIVE EVALUATION
17 BY A MULTIDISCIPLINARY TEAM, INDIVIDUALIZED FOR EACH PATIENT, AND
18 DEVELOPED BY A LICENSED PHYSICIAN OR LICENSED PSYCHOLOGIST.

19 Enacting section 1. This amendatory act applies to
20 certificates delivered, executed, issued, amended, adjusted, or
21 renewed in this state 180 days after the date this amendatory act
22 is enacted into law.