

Amendment No. 370

Assembly Amendment to Assembly Bill No. 6 (BDR 54-67)

Proposed by: Assembly Committee on Commerce and Labor

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EWR/JRS



Date: 4/17/2015

A.B. No. 6—Revises provisions relating to autism spectrum disorders.

(BDR 54-67)



ASSEMBLY BILL NO. 6—COMMITTEE
ON COMMERCE AND LABOR(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON HEALTH CARE)

PREFILED DECEMBER 19, 2014

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to autism spectrum disorders.
(BDR 54-67)FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to autism spectrum disorders; removing certification of autism behavior interventionists by the Board of Psychological Examiners; ~~sunsetting these changes unless legislation providing for an autism behavior interventionist to obtain a certain other certification is enacted; removing~~ **requiring an autism behavior interventionist to be registered by a certain national board; revising** the cap on the amount of required insurance coverage for certain treatment; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the certification of autism behavior interventionists by the Board of Psychological Examiners. (NRS 641.0204, 641.172) **Sections 1-11 and 25** of this bill remove this certification. ~~Section 11 preserves the requirement, however, that an autism behavior interventionist work under the supervision of a licensed psychologist, licensed behavior analyst or licensed assistant behavior analyst, and instead require an autism behavior interventionist to be registered as a Registered Behavior Technician or an equivalent credential by the Behavior Analyst Certification Board, Inc.~~

Existing law requires certain insurers to provide coverage of screening for and diagnosis of autism spectrum disorders and of treatment for autism spectrum disorders for certain persons who are covered by a policy of insurance and requires certain other insurers to provide an option for such coverage. Such required coverage may include behavioral therapy provided by a certified behavior interventionist who is properly supervised. (NRS 287.0276, 689A.0435, 689B.0335, 689C.1655, 695C.1717, 695G.1645) ~~Because that certification has been removed from statute, sections 12, 14, 16, 18, 20 and 22 of this bill remove, replace~~ the requirement that such therapy be provided by ~~a certified~~ **an** autism behavior interventionist **certified by the Board** as a condition to required coverage and the required option for coverage. ~~Sections 12, 14, 16, 18, 20 and 22 preserve the requirement, however, that such therapy be provided by an autism behavior interventionist who is supervised by a licensed psychologist, licensed behavior analyst or licensed assistant behavior analyst before coverage or the option for coverage is required. Sections 12, 14, 16, 18, 20 and 22 also~~

~~remove~~ with a requirement that such therapy be provided by an autism behavior interventionist registered as a Registered Behavior Technician or an equivalent credential by the Behavior Analyst Certification Board, Inc., as a condition to such requirements. Beginning on January 1, 2017, sections 13, 15, 17, 19, 21, 23 and 26 of this bill increase the \$36,000 cap on such coverage.†

~~Section 26 of this bill sunsets the statutory changes that remove certification of autism behavior interventionists by the Board, thereby re-enacting such provisions on July 1, 2017. Sections 13, 15, 17, 19, 21, 23 and 26 of this bill re-enact the requirement that behavior therapy be provided by a certified autism behavior interventionist as a condition to required coverage and the required option for coverage on January 1, 2018, thereby providing a 6 month period in which a person may obtain certification before certification will affect insurance coverage.~~

~~Section 26 provides, however, for the permanent removal of the certification of autism behavior interventionists if, on or before July 1, 2017, legislation is enacted to provide for the certification of an autism behavior interventionist as a Registered Behavior Technician or an equivalent certification by the Behavior Analyst Certification Board, Inc., or its successor organization.† to the actuarial equivalent of \$72,000.~~

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

Section 1. NRS 641.0204 is hereby amended to read as follows:

641.0204 “Autism behavior interventionist” means a person who ~~is certified as an autism behavior interventionist by the Board.†~~ 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.*

Sec. 2. NRS 641.100 is hereby amended to read as follows:

641.100 The Board may make and promulgate rules and regulations not inconsistent with the provisions of this chapter governing its procedure, the examination ~~†~~ and licensure ~~{and certification}~~ of applicants, the granting, refusal, revocation or suspension of licenses , ~~{and certificates.†}~~ the practice of psychology and the practice of applied behavior analysis.

Sec. 3. NRS 641.110 is hereby amended to read as follows:

641.110 The Board may, under the provisions of this chapter:

1. Examine and pass upon the qualifications of the applicants for licensure . ~~{and certification.†}~~
2. License ~~{and certify}~~ qualified applicants.
3. Revoke or suspend licenses . ~~{and certificates.†}~~
4. Collect all fees and make disbursements pursuant to this chapter.

Sec. 4. NRS 641.175 is hereby amended to read as follows:

641.175 1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license ~~{or certificate}~~ shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license ~~{or certificate}~~ shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license ; ~~for certificate;~~ or

(b) A separate form prescribed by the Board.

3. A license ~~for certificate~~ may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

Sec. 5. NRS 641.220 is hereby amended to read as follows:

641.220 1. To renew a license ~~for certificate~~ issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:

(a) Apply to the Board for renewal;

(b) Pay the biennial fee for the renewal of a license ; ~~for certificate;~~

(c) Submit evidence to the Board of completion of the requirements for continuing education; and

(d) Submit all information required to complete the renewal.

2. Upon renewing his or her license, a psychologist shall declare his or her areas of competence, as determined in accordance with NRS 641.112.

3. The Board shall, as a prerequisite for the renewal of a license , ~~for certificate;~~ require each holder to comply with the requirements for continuing education adopted by the Board.

Sec. 6. NRS 641.230 is hereby amended to read as follows:

641.230 The Board may suspend or revoke a person's license as a psychologist, behavior analyst or assistant behavior analyst , ~~for certificate as an autism behavior interventionist;~~ place the person on probation, require remediation for the person or take any other action specified by regulation if the Board finds by substantial evidence that the person has:

1. Been convicted of a felony relating to the practice of psychology or the practice of applied behavior analysis.

2. Been convicted of any crime or offense that reflects the inability of the person to practice psychology or applied behavior analysis with due regard for the health and safety of others.

3. Been convicted of violating any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive.

4. Engaged in gross malpractice or repeated malpractice or gross negligence in the practice of psychology or the practice of applied behavior analysis.

5. Aided or abetted the practice of psychology by a person not licensed by the Board.

6. Made any fraudulent or untrue statement to the Board.

7. Violated a regulation adopted by the Board.

8. Had a license to practice psychology or a license or certificate to practice applied behavior analysis suspended or revoked or has had any other disciplinary

1 action taken against the person by another state or territory of the United States, the
2 District of Columbia or a foreign country, if at least one of the grounds for
3 discipline is the same or substantially equivalent to any ground contained in this
4 chapter.

5 9. Failed to report to the Board within 30 days the revocation, suspension or
6 surrender of, or any other disciplinary action taken against, a license or certificate
7 to practice psychology or applied behavior analysis issued to the person by another
8 state or territory of the United States, the District of Columbia or a foreign country.

9 10. Violated or attempted to violate, directly or indirectly, or assisted in or
10 abetted the violation of or conspired to violate a provision of this chapter.

11 11. Performed or attempted to perform any professional service while
12 impaired by alcohol, drugs or by a mental or physical illness, disorder or disease.

13 12. Engaged in sexual activity with a patient or client.

14 13. Been convicted of abuse or fraud in connection with any state or federal
15 program which provides medical assistance.

16 14. Been convicted of submitting a false claim for payment to the insurer of a
17 patient or client.

18 15. Operated a medical facility, as defined in NRS 449.0151, at any time
19 during which:

20 (a) The license of the facility was suspended or revoked; or

21 (b) An act or omission occurred which resulted in the suspension or revocation
22 of the license pursuant to NRS 449.160.

23 ➤ This subsection applies to an owner or other principal responsible for the
24 operation of the facility.

25 **Sec. 7.** NRS 641.232 is hereby amended to read as follows:

26 641.232 The Board shall adopt regulations that establish the grounds for
27 disciplinary action for a licensed behavior analyst ~~or~~ **or** licensed assistant behavior
28 analyst. ~~for-certified-autism-behavior-interventionist.~~

29 **Sec. 8.** NRS 641.240 is hereby amended to read as follows:

30 641.240 1. If the Board, a panel of its members or a hearing officer
31 appointed by the Board finds a person guilty in a disciplinary proceeding, it may:

32 (a) Administer a public reprimand.

33 (b) Limit the person's practice.

34 (c) Suspend the person's license ~~for-certificate~~ for a period of not more than 1
35 year.

36 (d) Revoke the person's license. ~~for-certificate.~~

37 (e) Impose a fine of not more than \$5,000.

38 (f) Revoke or suspend the person's license ~~for-certificate~~ and impose a
39 monetary penalty.

40 (g) Suspend the enforcement of any penalty by placing the person on
41 probation. The Board may revoke the probation if the person does not follow any
42 conditions imposed.

43 (h) Require the person to submit to the supervision of or counseling or
44 treatment by a person designated by the Board. The person named in the complaint
45 is responsible for any expense incurred.

46 (i) Impose and modify any conditions of probation for the protection of the
47 public or the rehabilitation of the probationer.

48 (j) Require the person to pay for the costs of remediation or restitution.

49 2. The Board shall not administer a private reprimand.

50 3. An order that imposes discipline and the findings of fact and conclusions of
51 law supporting that order are public records.

Sec. 9. NRS 641.242 is hereby amended to read as follows:

641.242 1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license ~~for certificate~~ issued pursuant to this chapter, the Board shall deem the license ~~for certificate~~ issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license ~~for certificate~~ by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license ~~for certificate~~ has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Board shall reinstate a license ~~for certificate~~ issued pursuant to this chapter that has been suspended by a district court pursuant to NRS 425.540 if the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license ~~for certificate~~ was suspended stating that the person whose license ~~for certificate~~ was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

Sec. 10. NRS 641.370 is hereby amended to read as follows:

641.370 1. The Board shall charge and collect not more than the following fees respectively:

For the national examination, in addition to the actual cost to the Board of the examination.....	\$100
For any other examination required pursuant to the provisions of subsection 1 of NRS 641.180, in addition to the actual costs to the Board of the examination.....	100
For the issuance of an initial license for certificate	25
For the biennial renewal of a license of a psychologist.....	500
For the biennial renewal of a license of a licensed behavior analyst.....	400
For the biennial renewal of a license of a licensed assistant behavior analyst.....	275
For the biennial renewal of a certificate of a certified autism behavior interventionist.....	175
For the restoration of a license suspended for the nonpayment of the biennial fee for the renewal of a license.....	100
For the registration of a firm, partnership or corporation which engages in or offers to engage in the practice of psychology	300
For the registration of a nonresident to practice as a consultant.....	100

2. An applicant who passes the national examination and any other examination required pursuant to the provisions of subsection 1 of NRS 641.180 and who is eligible for a license as a psychologist shall pay the biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

3. An applicant who passes the examination and is eligible for a license as a behavior analyst or assistant behavior analyst ~~for a certificate as a autism behavior interventionist~~ shall pay the biennial fee for the renewal of a license , ~~for certificate~~, which must be prorated for the period from the date the license ~~for certificate~~ is issued to the end of the biennium.

4. In addition to the fees set forth in subsection 1, the Board may charge and collect a fee for the expedited processing of a request or for any other incidental service it provides. The fee must not exceed the cost to provide the service.

1 **Sec. 11.** NRS 641.395 is hereby amended to read as follows:

2 641.395 1. A licensed assistant behavior analyst shall not provide or
3 supervise ~~behavior~~ **behavioral** therapy except under the supervision of:

4 (a) A licensed psychologist; or

5 (b) A licensed behavior analyst.

6 2. ~~A certified~~ **An** autism behavior interventionist shall not provide
7 ~~behavior~~ **behavioral** therapy except under the supervision of:

8 (a) A licensed psychologist;

9 (b) A licensed behavior analyst; or

10 (c) A licensed assistant behavior analyst.

11 **Sec. 12.** NRS 287.0276 is hereby amended to read as follows:

12 287.0276 1. The governing body of any county, school district, municipal
13 corporation, political subdivision, public corporation or other local governmental
14 agency of the State of Nevada that provides health insurance through a plan of self-
15 insurance must provide coverage for screening for and diagnosis of autism
16 spectrum disorders and for treatment of autism spectrum disorders to persons
17 covered by the plan of self-insurance under the age of 18 **years** or, if enrolled in
18 high school, until the person reaches the age of 22 **years**.

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

20 (a) A maximum benefit of \$36,000 per year for applied behavior analysis
21 treatment; and

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

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

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

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

36 4. Except as **otherwise** provided in subsections 1 and 2, a governing body of
37 any county, school district, municipal corporation, political subdivision, public
38 corporation or other local governmental agency of the State of Nevada that provides
39 health insurance through a plan of self-insurance shall not limit the number of visits
40 an insured may make to any person, entity or group for treatment of autism
41 spectrum disorders.

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

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

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

52 ↪ A governing body of any county, school district, municipal corporation, political
53 subdivision, public corporation or other local governmental agency of the State of

1 Nevada that provides health insurance through a plan of self-insurance may request
2 a copy of and review a treatment plan created pursuant to this subsection.

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

8 7. Nothing in this section shall be construed as requiring a governing body of
9 any county, school district, municipal corporation, political subdivision, public
10 corporation or other local governmental agency of the State of Nevada that provides
11 health insurance through a plan of self-insurance to provide reimbursement to an
12 early intervention agency or school for services delivered through early intervention
13 or school services.

14 8. As used in this section:

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

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

24 (1) A licensed psychologist;

25 (2) A licensed behavior analyst; or

26 (3) A licensed assistant behavior analyst.

27 (c) "Autism spectrum disorders" means a neurobiological medical condition
28 including, without limitation, autistic disorder, Asperger's Disorder and Pervasive
29 Development Disorder Not Otherwise Specified.

30 ~~[(e)]~~ (d) "Behavioral therapy" means any interactive therapy derived from
31 evidence-based research, including, without limitation, discrete trial training, early
32 intensive behavioral intervention, intensive intervention programs, pivotal response
33 training and verbal behavior provided by a licensed psychologist, licensed behavior
34 analyst, licensed assistant behavior analyst or ~~[certified]~~ autism behavior
35 interventionist.

36 ~~[(d)] "Certified autism behavior interventionist" means a person who is certified~~
37 ~~as an autism behavior interventionist by the Board of Psychological Examiners and~~
38 ~~who provides behavior therapy under the supervision of:~~

39 ~~—— (1) A licensed psychologist;~~

40 ~~—— (2) A licensed behavior analyst; or~~

41 ~~—— (3) A licensed assistant behavior analyst.]~~

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

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

49 (g) "Licensed assistant behavior analyst" means a person who holds current
50 certification or meets the standards to be certified as a board certified assistant
51 behavior analyst issued by the Behavior Analyst Certification Board, Inc., or any
52 successor in interest to that organization, who is licensed as an assistant behavior
53 analyst by the Board of Psychological Examiners and who provides ~~[behavior]~~

1 *behavioral* therapy under the supervision of a licensed behavior analyst or
2 psychologist.

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

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

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

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

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

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

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

24 **Sec. 13.** NRS 287.0276 is hereby amended to read as follows:

25 287.0276 1. The governing body of any county, school district, municipal
26 corporation, political subdivision, public corporation or other local governmental
27 agency of the State of Nevada that provides health insurance through a plan of self-
28 insurance must provide coverage for screening for and diagnosis of autism
29 spectrum disorders and for treatment of autism spectrum disorders to persons
30 covered by the plan of self-insurance under the age of 18 years or, if enrolled in
31 high school, until the person reaches the age of 22 years.

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

33 (a) A maximum benefit of ~~(\$36,000)~~ *the actuarial equivalent of \$72,000* per
34 year for applied behavior analysis treatment; and

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

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

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

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

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

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

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

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

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

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

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

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

28 8. As used in this section:

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

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

38 (1) A licensed psychologist;

39 (2) A licensed behavior analyst; or

40 (3) A licensed assistant behavior analyst.

41 (c) "Autism spectrum disorders" means a neurobiological medical condition
42 including, without limitation, autistic disorder, Asperger's Disorder and Pervasive
43 Development Disorder Not Otherwise Specified.

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

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

52 (f) "Habilitative or rehabilitative care" means counseling, guidance and
53 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 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. 14. 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 \$36,000 per year for applied behavior analysis treatment; and

(b) Copayment, ~~feopayment~~ 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, ~~behavior~~ *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.

~~(e)~~ (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 ~~certified~~ autism behavior interventionist.

~~(d) "Certified autism behavior interventionist" means a person who is certified as an autism behavior interventionist by the Board of Psychological Examiners and who provides behavior therapy under the supervision of:~~

~~— (1) A licensed psychologist;~~

~~— (2) A licensed behavior analyst; or~~

~~— (3) A licensed assistant behavior analyst.~~

(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

1 successor in interest to that organization, who is licensed as an assistant behavior
2 analyst by the Board of Psychological Examiners and who provides behavioral
3 therapy under the supervision of a licensed behavior analyst or psychologist.

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

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

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

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

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

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

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

25 **Sec. 15.** NRS 689A.0435 is hereby amended to read as follows:

26 689A.0435 1. A health benefit plan must provide an option of coverage for
27 screening for and diagnosis of autism spectrum disorders and for treatment of
28 autism spectrum disorders for persons covered by the policy under the age of 18
29 years or, if enrolled in high school, until the person reaches the age of 22 years.

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

31 (a) A maximum benefit of not less than ~~(\$26,000)~~ *the actuarial equivalent of*
32 *\$72,000* per year for applied behavior analysis treatment; and

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

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

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

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

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

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

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

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

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

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

12 7. As used in this section:

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

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

22 (1) A licensed psychologist;

23 (2) A licensed behavior analyst; or

24 (3) A licensed assistant behavior analyst.

25 (c) "Autism spectrum disorders" means a neurobiological medical condition
26 including, without limitation, autistic disorder, Asperger's Disorder and Pervasive
27 Developmental Disorder Not Otherwise Specified.

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

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

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

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

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

51 (i) "Prescription care" means medications prescribed by a licensed physician
52 and any health-related services deemed medically necessary to determine the need
53 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 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. 16. NRS 689B.0335 is hereby amended to read as follows:

689B.0335 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 policy of group health 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 \$36,000 per year for applied behavior analysis treatment; and

(b) Copayment, ~~feopayment,~~ 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, ~~behavior~~ ~~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 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.

~~[(e)]~~ (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 ~~[certified]~~ autism behavior interventionist.

~~[(d)] "Certified autism behavior interventionist" means a person who is certified as an autism behavior interventionist by the Board of Psychological Examiners and who provides behavior therapy under the supervision of:~~

~~— (1) A licensed psychologist;~~

~~— (2) A licensed behavior analyst; or~~

~~— (3) A licensed assistant behavior analyst.]~~

(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 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. 17. NRS 689B.0335 is hereby amended to read as follows:

689B.0335 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 policy of group health 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 ~~(\$26,000)~~ *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 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 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.

(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 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. 18. 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 \$36,000 per year for applied behavior analysis treatment; and

(b) Copayment, ~~feepayment,~~ 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 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, ~~behavior~~ ~~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 carrier may request a copy of and review a treatment plan created pursuant to this subsection.

6. A health benefit plan 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 plan 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 carrier 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.

~~[(e)]~~ (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 ~~[certified]~~ autism behavior interventionist.

~~[(d)]~~ “Certified autism behavior interventionist” means a person who is certified as an autism behavior interventionist by the Board of Psychological Examiners and who provides behavior therapy under the supervision of:

~~— (1) A licensed psychologist;~~

~~— (2) A licensed behavior analyst; or~~

~~— (3) A licensed assistant behavior analyst.]~~

(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 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. 19. 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 ~~(\$26,000)~~ 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 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 carrier may request a copy of and review a treatment plan created pursuant to this subsection.

6. A health benefit plan 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 plan 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 carrier 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.

(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 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. 20. 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 \$36,000 per year for applied behavior analysis treatment; and

(b) Copayment. ~~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, ~~behavior~~ *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.

~~(c)~~ (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 ~~certified~~ autism behavior interventionist.

~~(d) "Certified autism behavior interventionist" means a person who is certified as an autism behavior interventionist by the Board of Psychological Examiners and who provides behavior therapy under the supervision of:~~

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

(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 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. 21. 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:

1 (a) A maximum benefit of ~~(\$26,000)~~ *the actuarial equivalent of \$72,000* per
2 year for applied behavior analysis treatment; and

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

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

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

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

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

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

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

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

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

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

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

37 8. As used in this section:

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

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

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

50 (c) "Autism spectrum disorders" means a neurobiological medical condition
51 including, without limitation, autistic disorder, Asperger's Disorder and Pervasive
52 Developmental Disorder Not Otherwise Specified.

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

3. Coverage provided under this section is subject to :

(a) A maximum benefit of \$36,000 per year for applied behavior analysis treatment; and

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

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

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

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

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

15 6. Treatment of autism spectrum disorders must be identified in a treatment
16 plan and may include medically necessary habilitative or rehabilitative care,
17 prescription care, psychiatric care, psychological care, ~~behavior~~ *behavioral*
18 therapy or therapeutic care that is:

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

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

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

27 7. An evidence of coverage subject to the provisions of this chapter that is
28 delivered, issued for delivery or renewed on or after January 1, 2011, has the legal
29 effect of including the coverage required by subsection 1, and any provision of the
30 evidence of coverage or the renewal which is in conflict with subsection 1 or 3 is
31 void.

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

35 9. As used in this section:

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

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

45 (1) *A licensed psychologist;*

46 (2) *A licensed behavior analyst; or*

47 (3) *A licensed assistant behavior analyst.*

48 (c) "Autism spectrum disorders" means a neurobiological medical condition
49 including, without limitation, autistic disorder, Asperger's Disorder and Pervasive
50 Developmental Disorder Not Otherwise Specified.

51 ~~(c)(d)~~ (d) "Behavioral therapy" means any interactive therapy derived from
52 evidence-based research, including, without limitation, discrete trial training, early
53 intensive behavioral intervention, intensive intervention programs, pivotal response

1 training and verbal behavior provided by a licensed psychologist, licensed behavior
2 analyst, licensed assistant behavior analyst or ~~certified~~ autism behavior
3 interventionist.

4 ~~“(d) “Certified autism behavior interventionist” means a person who is certified~~
5 ~~as an autism behavior interventionist by the Board of Psychological Examiners and~~
6 ~~who provides behavior therapy under the supervision of:~~

7 ~~(1) A licensed psychologist;~~

8 ~~(2) A licensed behavior analyst; or~~

9 ~~(3) A licensed assistant behavior analyst.]~~

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

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

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

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

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

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

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

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

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

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

44 **Sec. 23.** NRS 695G.1645 is hereby amended to read as follows:

45 695G.1645 1. A health care plan issued by a managed care organization for
46 group coverage must provide coverage for screening for and diagnosis of autism
47 spectrum disorders and for treatment of autism spectrum disorders to persons
48 covered by the health care plan under the age of 18 years or, if enrolled in high
49 school, until the person reaches the age of 22 years.

50 2. A health care plan issued by a managed care organization for individual
51 coverage must provide an option for coverage for screening for and diagnosis of
52 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.

3. Coverage provided under this section is subject to:

(a) A maximum benefit of ~~(\$36,000)~~ *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.

4. A managed care organization that offers or issues a health care plan 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 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.

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

6. 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 managed care organization may request a copy of and review a treatment plan created pursuant to this subsection.

7. An 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 3 is void.

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

9. 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.

(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 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. 24. 1. Any regulations adopted by the Board of Psychological Examiners before ~~October 1, 2015,~~ the effective date of this section pursuant to NRS 641.100 or 641.232 are unenforceable with respect to an autism behavior interventionist as of that date ~~, until July 1, 2017, except that if, on or before that date, legislation is enacted to provide for certification of an autism behavior interventionist as a Registered Behavior Technician or an equivalent certification by the Behavior Analyst Certification Board, Inc., or its successor organization, the regulations will be void with respect to an autism behavior interventionist.~~

2. ~~If, on or before July 1, 2017, the legislation described in subsection 2 is enacted, the~~ The Legislative Counsel shall, as soon as practicable after ~~that date,~~ January 1, 2016:

(a) Remove all of the regulations described in subsection 1 that solely apply to autism behavior interventionists; and

(b) Remove references to an autism behavior interventionist from all other regulations described in subsection 1.

3. An autism behavior interventionist who is certified by the Board of Psychological Examiners before the effective date of this section shall be deemed to be registered as a Registered Behavior Technician or an equivalent credential by the Behavior Analyst Certification Board, Inc., until January 1, 2016.

Sec. 25. NRS 641.172 is hereby repealed.

Sec. 26. 1. This section and sections 1 to 12, inclusive, 14, 16, 18, 20, 22, 24 and 25 of this act become effective ~~on October 1, 2015,~~ **upon passage and approval.**

2. ~~{Sections 1 to 11, inclusive, 24 and 25 of this act expire by limitation on June 30, 2017, unless, on or before that date, legislation is enacted and approved to provide for certification of an autism behavior interventionist as a Registered Behavior Technician or an equivalent certification by the Behavior Analyst Certification Board, Inc., or its successor organization.~~

~~3. Sections 13, 15, 17, 19, 21 and 23 of this act become effective on January 1, 2018, unless, on or before June 30, 2017, legislation is enacted and approved to provide for certification of an autism behavior interventionist as a Registered Behavior Technician or an equivalent certification by the Behavior Analyst Certification Board, Inc., or its successor organization.~~ **2017.**

TEXT OF REPEALED SECTION

641.172 Qualifications of applicant for certification as autism behavior interventionist; Board to evaluate application and issue statement of determination; contents of statement.

1. Each application for certification as an autism behavior interventionist must be accompanied by evidence satisfactory to the Board that the applicant:

(a) Is at least 18 years of age.

(b) Is of good moral character as determined by the Board.

(c) Is a citizen of the United States, or is lawfully entitled to remain and work in the United States.

(d) Has completed satisfactorily a written examination in Nevada law and ethical practice as administered by the Board.

(e) Has completed satisfactorily a standardized practical examination developed and approved by the Board. The examination must be conducted by the applicant's supervisor, who shall make a videotape or other audio and visual recording of the applicant's performance of the examination for submission to the Board. The Board may review the recording as part of its evaluation of the applicant's qualifications.

2. Within 120 days after receiving an application and the accompanying evidence from an applicant, the Board shall:

(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for certification as an autism behavior interventionist; and

(b) Issue a written statement to the applicant of its determination.

3. If the Board determines that the qualifications of the applicant are insufficient for certification, the written statement issued to the applicant pursuant to subsection 2 must include a detailed explanation of the reasons for that determination.