

By the Committee on Health Regulation; and Senator Ring

588-04449-09

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1 A bill to be entitled
2 An act relating to autism; creating s. 381.986, F.S.;
3 requiring that a physician refer a minor to an
4 appropriate specialist for screening for autism
5 spectrum disorder under certain circumstances;
6 defining the term "appropriate specialist"; amending
7 ss. 627.6686 and 641.31098, F.S.; requiring certain
8 insurers and health maintenance organizations to
9 provide direct patient access to an appropriate
10 specialist for screening, evaluation of, or diagnosis
11 for autism spectrum disorder; defining the term
12 "direct patient access"; requiring the insurer's
13 policy or the health maintenance organization's
14 contract to provide a minimum number of visits per
15 year for the screening, evaluation of, or diagnosis
16 for autism spectrum disorder; providing an effective
17 date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 381.986, Florida Statutes, is created to
22 read:

23 381.986 Screening, evaluation of, or diagnosis for autism
24 spectrum disorder.—

25 (1) If the parent or legal guardian of a minor who is an
26 eligible individual, as defined in s. 627.6686 or s. 641.31098,
27 believes that the minor exhibits symptoms of autism spectrum
28 disorder, the parent or legal guardian may report his or her
29 observation to a physician licensed in this state. The physician

588-04449-09

2009308c1

30 shall immediately refer the minor to an appropriate specialist
31 for screening, evaluation of, or diagnosis for autism spectrum
32 disorder. This section does not apply to a physician providing
33 care under s. 395.1041.

34 (2) As used in this section, the term "appropriate
35 specialist" means a qualified professional who is experienced in
36 the evaluation of autism spectrum disorder, who has training in
37 validated diagnostic tools, and includes, but is not limited to,
38 a person who is licensed in this state as:

39 (a) A psychologist;

40 (b) A psychiatrist;

41 (c) A neurologist;

42 (d) A developmental or behavioral pediatrician and who
43 specializes in child neurology;

44 (e) A speech language pathologist;

45 (f) An occupational therapist; or

46 (g) A professional whose licensure is deemed appropriate by
47 the Children's Medical Services Early Steps Program within the
48 Department of Health.

49 Section 2. Subsection (11) is added to section 627.6686,
50 Florida Statutes, to read:

51 627.6686 Coverage for individuals with autism spectrum
52 disorder required; exception.—

53 (11) Notwithstanding any provision of this section to the
54 contrary, an insurer shall provide direct patient access for
55 screening, evaluation of, or diagnosis for autism spectrum
56 disorder to an appropriate specialist, as defined in s. 381.986.
57 As used in this subsection, the term "direct patient access"
58 means the ability of a subscriber or insured to obtain services

588-04449-09

2009308c1

59 from an in-network provider without a referral or other
60 authorization before receiving services. The insurer's policy
61 shall, pursuant to this subsection, provide a minimum of three
62 visits per policy year for the screening, evaluation of, or
63 diagnosis for autism spectrum disorder.

64 Section 3. Subsection (10) is added to section 641.31098,
65 Florida Statutes, to read:

66 641.31098 Coverage for individuals with developmental
67 disabilities.—

68 (10) Notwithstanding any provision of this section to the
69 contrary, a health maintenance organization shall provide direct
70 patient access for screening, evaluation of, or diagnosis for
71 autism spectrum disorder to an appropriate specialist, as
72 defined in s. 381.986. As used in this subsection, the term
73 "direct patient access" means the ability of a subscriber or
74 insured to obtain services from an in-network provider without a
75 referral or other authorization before receiving services. The
76 health maintenance organization's contract shall, pursuant to
77 this subsection, provide a minimum of three visits per policy
78 year for the screening, evaluation of, or diagnosis for autism
79 spectrum disorder.

80 Section 4. This act shall take effect July 1, 2009.