

1                                   A bill to be entitled  
 2           An act relating to autism; creating s. 381.986, F.S.;  
 3           providing a short title; requiring that a physician refer  
 4           a minor child to an appropriate specialist for screening  
 5           for autism spectrum disorder under certain circumstances;  
 6           excepting physicians providing certain emergency care;  
 7           defining the term "appropriate specialist"; amending s.  
 8           627.6686, F.S.; requiring health insurance plan coverage  
 9           for the evaluation and diagnosis of autism spectrum  
 10          disorder; creating s. 641.63, F.S.; requiring health  
 11          maintenance organizations to provide direct patient access  
 12          to an appropriate specialist for screening, evaluation,  
 13          and diagnosis of autism spectrum disorder; defining the  
 14          term "direct patient access"; providing an effective date.

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

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 18           Section 1.   Section 381.986, Florida Statutes, is created  
 19   to read:

20           381.986 Screening, evaluation, and diagnosis of autism  
 21 spectrum disorder.--

22           (1) This section may be cited as the "Autism Screening,  
 23 Evaluation, and Diagnosis Act."

24           (2) (a) If the parent or legal guardian of a minor child  
 25 observes the child exhibit symptoms that the parent or legal  
 26 guardian believes to be symptoms of autism spectrum disorder or  
 27 associated developmental delays, the parent or legal guardian  
 28 may report his or her observation to a physician licensed in

29 this state. Except as provided in paragraph (b), the physician  
 30 shall immediately refer the child to an appropriate specialist  
 31 for screening for autism spectrum disorder if the referral is  
 32 clinically indicated after examination and initial screening.

33 (b) This section does not apply to a physician providing  
 34 care pursuant to s. 395.1041.

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

40 (a) A psychologist;

41 (b) A psychiatrist;

42 (c) A board-certified behavior analyst;

43 (d) A neurologist;

44 (e) A developmental or behavioral pediatrician who  
 45 specializes in child neurology;

46 (f) A speech-language pathologist; or

47 (g) A licensed professional deemed appropriate by the  
 48 Division of Children's Medical Services Network of the  
 49 Department of Health for purposes of early intervention services  
 50 for infants and toddlers with disabilities provided under part C  
 51 of the federal Individuals with Disabilities Education Act.

52 Section 2. Subsection (3) of section 627.6686, Florida  
 53 Statutes, is amended to read:

54 627.6686 Coverage for individuals with autism spectrum  
 55 disorder required; exception.--

56 (3) A health insurance plan issued or renewed on or after

57 April 1, 2009, shall provide coverage to an eligible individual  
 58 for:

59 (a) Well-baby and well-child screening for diagnosing the  
 60 presence of autism spectrum disorder.

61 (b) Evaluation and diagnosis of autism spectrum disorder.

62 (c) ~~(b)~~ Treatment of autism spectrum disorder through  
 63 speech therapy, occupational therapy, physical therapy, and  
 64 applied behavior analysis. Applied behavior analysis services  
 65 shall be provided by an individual certified pursuant to s.  
 66 393.17 or an individual licensed under chapter 490 or chapter  
 67 491.

68 Section 3. Section 641.63, Florida Statutes, is created to  
 69 read:

70 641.63 Direct patient access to specialists for the  
 71 screening, evaluation, and diagnosis of autism spectrum  
 72 disorder.--Notwithstanding any provision of law to the contrary,  
 73 a health maintenance organization as defined in s. 641.19 shall  
 74 provide direct patient access to an appropriate specialist as  
 75 defined in s. 381.986 for the screening, evaluation, and  
 76 diagnosis of autism spectrum disorder. As used in this section,  
 77 the term "direct patient access" has the same meaning as in s.  
 78 641.31(33).

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