



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 789

**Assembly Substitute
Amendment 1, As Amended**

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Under *current law*, every disability insurance policy, and every self-insured health plan of the state or a county, city, town, village, or school district, must provide coverage, as specified under current law, for an insured of treatment for the mental health condition of autism spectrum disorder if the treatment is prescribed by a physician and provided by any of the following who are qualified to provide intensive-level services or non-intensive level services, as defined under current law:

- A psychiatrist.
- A person who practices psychology.
- A social worker who is certified or licensed to provide psychotherapy.
- A paraprofessional working under the supervision of a provider listed above.
- A professional working under the supervision of an outpatient mental health clinic.
- A speech-language pathologist.
- An occupational therapist.

[s. 632.895 (12m) (b), Stats., as created by 2009 Wisconsin Act 28.]

Assembly Bill 789 requires coverage of treatment for the mental health condition of autism spectrum disorder that is provided by a behavior analyst who is certified to practice behavior analysis by the Behavior Analyst Certification Board, Inc., excluding a person who is certified as an assistant behavior analyst. In addition, the bill requires coverage of services provided by a paraprofessional working under the supervision of such a behavior analyst.

Assembly Substitute Amendment 1 requires coverage of services to treat autism spectrum disorder provided by a *licensed* behavior analyst or a paraprofessional working under the supervision of a licensed behavior analyst. The substitute amendment creates the requirements for licensure of behavior analysts.

Assembly Amendment 2 to Assembly Substitute Amendment 1 requires coverage of treatment for the mental health condition of autism spectrum disorder that is provided by a marriage and family therapist or a professional counselor either of whom must be certified or licensed to practice psychotherapy or a paraprofessional working under the supervision of such a marriage and family therapist or professional counselor. Under current law, marriage and family therapists and professional counselors must be licensed by the marriage and family therapist section or the professional counselor section of the Marriage and Family Therapy, Counseling, and Social Work Examining Board.

Legislative History

Representative Hintz offered Assembly Substitute Amendment 1. Representative Molepske offered Assembly Amendment 2 to the substitute amendment. On April 13, 2010, the Assembly Committee on Insurance recommended adoption of Assembly Amendment 2 to the substitute amendment on a vote of Ayes, 6; Noes, 4; adoption of Assembly Substitute Amendment 1 on a vote of Ayes, 6; Noes, 4; and passage of the bill, as amended, on a vote of Ayes, 6; Noes, 4.

AS:ksm