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State of Misconsin 2009 - 2010 LEGISLATURE

## 2009 ASSEMBLY BILL 789

March 2, 2010 – Introduced by Representatives HINTZ, GOTTLIEB, HIXSON, TURNER, BROOKS, MOLEPSKE JR., HILGENBERG, KAUFERT and GRIGSBY, cosponsored by Senators WIRCH and OLSEN. Referred to Committee on Insurance.

1 AN ACT to amend 632.895 (12m) (b) 4.; and to create 632.895 (12m) (b) 3m. of

- the statutes; relating to: insurance coverage of the services of behavior
- 3 analysts for autism treatment.

## Analysis by the Legislative Reference Bureau

Under current law, health insurance policies and self-insured governmental and school district health plans are required to cover a specified amount of intensive-level services and nonintensive-level services provided to an insured for the treatment of autism, Asperger's syndrome, and pervasive developmental disorder not otherwise specified as long as the treatment is prescribed by a physician and provided by any of the following providers who are qualified to provide intensive-level services or nonintensive-level services: a psychiatrist; a psychologist; a social worker who is certified or licensed to practice psychotherapy; a paraprofessional working under the supervision of any of those three types of providers; a professional working under the supervision of an outpatient mental health clinic; a speech-language pathologist; or an occupational therapist. This bill provides that the coverage must also apply to services provided by a behavior analyst, excluding an assistant behavior analyst, who is certified to practice behavior analysis by the Behavior Analyst Certification Board, Inc., or by a paraprofessional working under the supervision of such a behavior analyst, if the

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behavior analyst or paraprofessional is qualified to provide intensive-level services or nonintensive-level services.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1	<b>SECTION 1.</b> $632.895 (12m) (b) 3m$ . of the statutes is created to read:
2	632.895 (12m) (b) 3m. A behavior analyst who is certified to practice behavior
3	analysis by the Behavior Analyst Certification Board, Inc., excluding a person who
4	is certified as an assistant behavior analyst.
5	<b>SECTION 2.</b> 632.895 (12m) (b) 4. of the statutes, as created by 2009 Wisconsin
6	Act 28, is amended to read:
7	632.895 (12m) (b) 4. A paraprofessional working under the supervision of a
8	provider listed under subds. 1. to <del>3.</del> <u>3m.</u>
9	SECTION 3. Initial applicability.
10	(1) If a disability insurance policy or a governmental self-insured health plan
11	that is in effect on the effective date of this subsection contains a provision that is
12	inconsistent with this act, this act first applies to that policy or plan on the date on
13	which it is renewed.
14	(END)

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