

ACT 648 Autism Insurance Tip Sheet

This brief provides:

- Tips for parents seeking insurance coverage for ABA therapy
- Information on recent legislation (ACT 648)
- Summary of recent meeting with stakeholders, Insurance industry representatives, the Department of Insurance and Representative Foil (author of ACT 648)

Tips for Parents seeking Insurance Coverage for ABA treatment for Children with Autism

1. It is recommended that you ask your ABA provider to enroll as a service provider with your insurance company. Ask your ABA (i.e. BCBA) therapist to request, complete and submit an enrollment packet to become a credentialed provider recognized by your insurance.
 - a. This should be done ASAP!
 - i. Note: Some insurance companies were requiring ABA therapists to be certified BCBA and have a licence. Louisiana does not license ABA therapists so this is viewed as limiting the number of available ABA providers. If your insurance company asks your ABA therapists for a license in addition to their certification report them to the Department of Insurance.
 - b. If your ABA provider chooses not to join the insurance plan network (i.e., does not accept the rates and conditions of your insurance company) they can still be covered as an “Out of Network” provider. Read your insurance coverage to determine how they cover Out-of-Network providers.
2. Determine whether your insurance plan meets the criteria for required autism treatment coverage.

IF IT DOES NOT:

- a. Even if your insurance carrier is not mandated to cover Autism Services by ACT 648 that doesn't mean that your insurance plan cannot pay for those services. Meet with your employer and tell them how important this coverage is to your family. Your employer may elect to cover those services in their group insurance plan.
 - b. Educate your employer and co-workers about the Autism Coverage and how it could positively impact your attendance and productivity at work. Network and Join forces with other employees who have dependents with autism. Approach your employer together.
3. **IF IT DOES:**
 - a. Autism Insurance Coverage mandated by ACT 648 will take effect on the renewal date of your insurance plan after January 1, 2009. Determine the date of renewal of your plan to know when to expect coverage for ABA treatment to begin.
 - b. All insurance claims submitted for ABA therapy to your insurance company should be under your BCBA therapist provider number. (If the BCBA therapist is not in a network provider with your insurance company network of providers please contact your insurance company. Ask your BCBA therapist to submit claims for all ABA services under their supervision (including any line therapist) and *reimburse you* for those expenses after your insurance provides the coverage. (read more about this below)

4. If your insurance company is non-compliant with ACT 648 direct your complaints to:

Karen Reiners Winfrey, Deputy Commissioner
Office of Health
Louisiana Department of Insurance
P.O. Box 94214
Baton Rouge, LA 70804
(225) 342-1355 (800) 259-5301 Fax: (225) 342-5711
kwinfrey@ldi.state.la.us

ACT 648

ACT 648 of 2008 requires group health insurance plans to cover behavioral treatment or Applied Behavioral Analysis (ABA) and other related services for children with autism. After January 1, 2009 group health insurance plans renewed for employers in Louisiana with more than 50 employees will be required to provide an annual benefit amount of \$36,000 per year with a lifetime limit of \$144,000 for the diagnosis and treatment of autism spectrum disorders.

To read ACT 658 in its entirety go to:

www.legis.state.la.us/billdata/streamdocument.asp?did=503797

Summary of Department of Insurance ACT 648 meeting (12/10/08)

Highlights of a recent meeting between stakeholders, the Department of Insurance and insurance providers revealed:

1. Insurance providers indicated that they have received very few enrollment packets from providers of ABA treatment. Without being credentialed by the insurance plan the provider of ABA treatments will not be able to seek reimbursement. It is imperative that providers of ABA treatment request and submit an enrollment packet to become a credentialed provider with the Insurance provider of the parents they serve. This step is necessary to ensure that those parents whose insurance will cover this treatment have the costs covered by their plan.
2. Some insurance providers and their association representatives revealed that they intend to only cover costs for treatment provided directly by a certified behavior analyst through the Behavior Analyst Certification Board and were resistant to coverage for treatment provided by line therapists. Stakeholders agree that it is necessary to have high quality standards and that plans and treatment should be under the direction of a certified behavior analyst and any line therapist should be under the supervision and direction of a qualified BCBA provider. However, contrary to the interpretation of some insurance representatives on this matter, Act 648 explicitly states:

*“Autism services provider” means any person, entity, or **group** which provides treatment of autism spectrum disorders.*

Our Interpretation: Similar to insurance coverage for other health service delivery systems and as stipulated in ACT 648 the coverage for ABA treatment should provide for all treatment provided under the direction and supervision of a certified behavior analyst.