

**304.17A-143 Coverage for treatment of autism in children -- Limitation --  
Definitions. (Effective until January 1, 2011)**

- (1) All health benefit plans shall provide coverage, including therapeutic, respite, and rehabilitative care, for the treatment of autism of a child covered under the policy.
- (2) Coverage for autism shall be subject to a five hundred dollar (\$500) maximum benefit per month, per covered child. This limit shall not apply to other health conditions of the child and services for the child not related to the treatment of autism.
- (3) As used in this section, "autism" means:
  - (a) A total of six (6) or more items from subparagraphs 1., 2., and 3. of this paragraph, with at least two (2) from subparagraph 1. and one (1) each from subparagraphs 2. and 3.:
    1. Qualitative impairment in social interaction, as manifested by at least two (2) of the following:
      - a. Marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction;
      - b. Failure to develop peer relationships appropriate to developmental level;
      - c. A lack of spontaneous seeking to share enjoyment, interests, or achievement with other people; or
      - d. Lack of social or emotional reciprocity.
    2. Qualitative impairments in communication as manifested by at least one (1) of the following:
      - a. Delay in, or total lack of, the development of spoken language;
      - b. In individuals with adequate speech, marked impairment in the ability to imitate or sustain a conversation with others;
      - c. Stereotyped and repetitive use of language or idiosyncratic language; or
      - d. Lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental levels.
    3. Restricted repetitive and stereotyped patterns of behavior, interests, and activities, as manifested by at least one (1) of the following:
      - a. Encompassing preoccupation with one (1) or more stereotyped and restricted patterns of interest that is abnormal either in intensity or focus;
      - b. Apparently inflexible adherence to specific, nonfunctional routines or rituals;
      - c. Stereotyped and repetitive motor mannerisms; or
      - d. Persistent preoccupation with parts of objects;

- (b) Delays or abnormal functioning in at least one (1) of the following areas, with onset prior to age three (3) years:
  - 1. Social interaction;
  - 2. Language as used in social communication; or
  - 3. Symbolic or imaginative play; and
- (c) The disturbance is not better accounted for by Rett's Disorders of Childhood Disintegrative Disorder.
- (4) As used in this section, "child" means a person two (2) through twenty-one (21) years of age.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 106, sec. 1, effective July 15, 1998, as amended by 1998 Ky. Acts ch. 585, sec. 2, effective April 14, 1998.

**Legislative Research Commission Note (7/15/98).** This section was created by 1998 Ky. Acts ch. 106, sec. 1, which was subsequently amended by 1998 Ky. Acts ch. 585, sec. 2. These two Acts have been codified together.

**304.17A-143 Coverage for treatment of autism in the individual and small group market -- Limitation -- Definitions. (Effective January 1, 2011)**

- (1) All health benefit plans in the individual and small group market shall provide coverage, including pharmacy care, if covered by the plan, psychiatric care, psychological care, therapeutic care, applied behavior analysis, as defined in KRS 304.17A-141(1), habilitative and rehabilitative care, for the treatment of autism spectrum disorders, as defined in KRS 304.17A-141(3), of an individual covered under the policy.
- (2) Coverage for autism spectrum disorders shall be subject to a one thousand dollar (\$1,000) maximum benefit per month, per covered individual. This limit shall not apply to other health conditions of the individual and services for the individual not related to the treatment of an autism spectrum disorder.
- (3) As used in this section, "autism spectrum disorder" means a physical, mental, or cognitive illness or disorder which includes any of the pervasive developmental disorders as defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders ("DSM"), published by the American Psychiatric Association, including Autistic disorder, Asperger's disorder, and Pervasive Developmental disorder Not Otherwise Specified.
- (4) As used in this section, "individual" means a person one (1) through twenty-one (21) years of age.

**Effective:** January 1, 2011

**History:** Amended 2010 Ky. Acts ch. 150, sec. 18, effective January 1, 2011. -- Created 1998 Ky. Acts ch. 106, sec. 1, effective July 15, 1998, as amended by 1998 Ky. Acts ch. 585, sec. 2, effective April 14, 1998.

**Legislative Research Commission Note (7/15/98).** This section was created by 1998 Ky. Acts ch. 106, sec. 1, which was subsequently amended by 1998 Ky. Acts ch. 585, sec. 2. These two Acts have been codified together.