



NEW YORK STATE SENATOR

Jack M. Martins

Senate Gives Final Legislative Approval For Landmark Autism Insurance Reform

JACK M. MARTINS June 20, 2011

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The New York State Senate today approved legislation to enable individuals with autism spectrum disorders to receive insurance coverage for screening, diagnosis and treatment. The bill (S.4005A), sponsored by Senator Charles J. Fuschillo, Jr. (R, Merrick), would save tens of thousands of dollars in out-of-pocket expenses spent by families caring for individuals with autism and address insurance companies' refusal to cover costs for autism treatments and therapies.

Autism Spectrum Disorders affect individuals of all ethnic, racial, and socioeconomic groups. The Centers for Disease Control (CDC) estimates that 1 in 110 children, including 1 in 70 boys, are currently affected with autism.

The legislation requires insurance companies to provide coverage for the screening, diagnosis, and treatment of autism spectrum disorders, including behavioral health treatments, speech therapy, occupational therapy, and physical therapy. Insurance companies would be prohibited from terminating coverage or refusing to renew, adjust, amend, issue, or execute a policy solely because the individual has been diagnosed with or received treatment for autism spectrum disorders.

“This is a giant step forward towards helping families with autism get the care they need,” said Senator Fuschillo. “Many of these families are literally going broke paying for this care because their insurance companies refuse to provide coverage. It’s long past time to give these families access to treatment coverage just like any other condition, and ensure that they are not denied services solely because of an autism diagnosis. That’s exactly what this legislation would do.”

“Thousands of families throughout the state are facing critical choices between providing quality care for children and adults with autism or jeopardizing their finances,” Senate Majority Leader Dean G. Skelos said. “It is essential families have access to the tools that have been proven to make a difference in the life of an individual with autism.”

The legislation builds upon an existing law, authored by Senator Fuschillo and co-sponsored by Senator Jack M. Martins, which prevents insurance companies from denying treatment coverage otherwise covered by the policy solely because the treatment is provided to diagnose or treat an autism spectrum disorder.

"This is landmark legislation that ensures that those who need services will receive them. This is an important issue to many of our families here on Long Island. Those young people and children who fall within the autism spectrum deserve every opportunity to succeed," said Senator Martins. "Treatment and services should be covered by insurance companies since they are required to help those who need these vital services."

If this legislation becomes law, New York would join 25 other states which have already enacted similar autism insurance reform laws. It is supported by a number of different organizations, including Autism Speaks, the Medical Society of the State of New York, New York State Association for Behavior Analysis, and Families Together in New York State.

In a memo supporting the legislation, the Medical Society of the State of New York stated that the legislation “would expedite diagnosis and treatment by providing insurance parity for autism sufferers by requiring equitable coverage of the disorder by insurance companies.” Additionally, the Society noted that “treatment of autism spectrum disorders will result in better long-term health outcomes for those afflicted with this condition and should, therefore, lessen costs which are borne by taxpayers.”

The bill will be sent to the Governor.