



NEW YORK STATE SENATOR

Joseph E. Robach

Senate Gives Final Legislative Approval For Landmark Autism Insurance Reform

Joseph E. Robach

June 17, 2011

ISSUE:

- [Health](#)

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.”

“Families that need help paying medical bills for their loved ones can finally get the coverage they deserve,” Chairman of the Senate Mental Health and Developmental Disabilities Committee Senator Roy McDonald (R, Saratoga) said. “Enactment of this bill will make New York a leader in providing services and ensuring protections for those with autism. I want to thank my colleagues in the Senate for passing this bill, and look forward to doing more to help those with autism and similar developmental disabilities.”

“This significant legislation is necessary to provide families dealing with autism the assistance they both need and deserve,” said Chairman of the Senate Health

Committee, Senator Kemp Hannon (R-C-I, Garden City). “These families should not be denied the proper services and quality of care for their loved ones merely because of an autism diagnosis.”

“The best outcomes for children with the Autism Spectrum Disorder occur with early diagnosis,” said Senator John DeFrancisco (R-C-I, Syracuse). “This is a landmark bill, which will help to ensure that early diagnosis will occur and that appropriate treatment will follow.”

“This legislation helps restore the voice of those affected by autism,” stated Senator Neil Breslin (D, Delmar). “Families are paying out-of-pocket for autism treatments, risking their homes and mortgaging their future for something that should be covered by basic health insurance. With the autism rate for children increasing by approximately 15 percent a year, the time is now for this legislation to be enacted.”

“Sadly almost every New Yorker knows at least one person, and maybe more, who faces the burden of having a loved one with autism,” said Senator Thomas K. Duane. “To make matters worse, many of these families are forced to focus on how they will pay for a loved one's treatment instead of trying to lead the best life possible. I commend Senators Fuschillo, McDonald, Hannon and Breslin for the determination, leadership, and compassion to shepherd this bill through the Senate.”

Michael Giangregorio of Merrick, who has a son with autism and is the Long Island Volunteer Executive Chair of Autism Speaks, said, “I am extremely pleased that this legislation has been passed by the state Senate. This would put an end to families depleting their savings and exhausting their finances to pay for treatments which their insurance company refuses to cover. I thank Senator Fuschillo for fighting to ensure that my family and other families who have a loved one with autism have access to the care they need.”

The legislation builds upon an existing law, authored by Senator Fuschillo, 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.

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.

####