



# Information Regarding HB 569, Connor's Law

*AN ACT clarifying insurance coverage for the diagnosis and treatment of pervasive developmental disorder or autism*

**HB 569 is not a new mandate.** HB 569 clarifies what “treatment” means in the context of New Hampshire’s existing mental health parity law as applied to autism spectrum disorders (ASD). It says that insurance will cover treatment when prescribed or ordered by a medical professional following the guidelines adopted by the American Academy of Pediatrics and other professional groups. Just like any illness, treatment will be subject to periodic review for medical necessity.

## Rationale for HB 569

- **Autism spectrum disorder is a treatable condition.** Individuals who have a diagnosis of ASD experience difficulty communicating and interacting socially. While the severity of ASD varies widely, all children with ASD will need some type of medically necessary treatment. This might include speech and occupational therapy, psychological service, and/or behavior-based therapy, which is often called “Applied Behavior Analysis” (ABA).
- **New Hampshire families face significant barriers in obtaining coverage for the therapies most commonly recommended by medical professionals.** This can result in high out-of-pocket costs or, more often, the inability to provide effective treatment.
- **HB 569 is consistent with a national movement to insure that the treatment of ASD is evidence-based.** For example, despite almost 50 years of peer-reviewed research that demonstrates its effectiveness for children with ASD, carriers often claim that behavior-based treatment is “experimental.” Fifteen states have already adopted bills similar to HB 569 and legislation is pending in almost 30 other states.
- **HB 569 brings needed clarification to NH’s mental health parity law.** Speech, behavioral, and other therapies are also commonly denied as “habilitation,” meaning that they do not restore a previously attained skill or capacity, as is the case in “rehabilitation.” HB 569 makes clear that under the Granite State’s parity law, autism treatments are to be covered just as are the standard treatments for other congenital conditions such as cleft palate or a heart defect.

## Economic Impact: HB 569 will save NH money.

- **Timely and intensive treatment works:** Fully 47% of children with ASD who receive intensive early treatment recover “typical” function; an additional 40% make significant improvement.
- **The impact upon insurance cost is small relative to the long term benefit.** An independent study requested by the House Committee on Commerce and Consumer Affairs found that the impact of covering treatments under HB 569 would be 0.2% to 0.4% or \$0.83 to \$1.37 per member per month. This cost should be interpreted in the context of the larger societal benefit and savings achieved through early treatment, the report noted.
- **Timely and intensive treatment saves money:** According to a second cost-benefit analysis, HB 569 will save approximately \$1.9 million per individual, largely in adult developmental services that will not be needed and in the indirect costs associated with under-employment.