

State Corporation Commission

2016 Fiscal Impact Statement

1. Bill Number: HB255

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Greason

3. Committee: Commerce and Labor

4. Title: Health insurance coverage for mental health and substance abuse disorders; applied behavior analysis

5. Summary: Health insurance coverage for mental health and substance abuse disorders; applied behavior analysis. Adds applied behavior analysis to the scope of treatments for the mental health services for which treatment is required to be provided under certain health insurance policies and plans. The measure also adds licensed mental health professionals to the list of providers authorized to render treatment under such required coverages. The measure directs that coverage for mental health and substance abuse providers that requires treatment be provided by a licensed mental health professional shall provide that such treatment may be provided by a licensed behavior analyst or licensed assistant behavior analyst acting within their scope of practice. Finally, the measure expands the definition of "mental health professional" to include licensed behavior analysts and licensed assistant behavior analysts.

6. Budget amendment necessary: No

7. Fiscal Impact Estimates: No Fiscal Impact on the State Corporation Commission

8. Fiscal implications: None on the State Corporation Commission

9. Specific agency or political subdivisions affected: State Corporation Commission Bureau of Insurance

10. Technical amendment necessary: No

11. Other comments: Bills concerning the treatment of autism spectrum disorder by applied behavior analysis and the providers of such services have been introduced and defeated prior to passage by the 2011 General Assembly. Bills were also introduced adding coverage for applied behavior analysis as part of the requirement to provide early intervention services. Following passage of the mandate in 2011, additional requirements have been enacted establishing the Behavior Analysis Certification Board and a Behavior Analysis Advisory Board.

The 2015 General Assembly amended the coverage mandate to expand the applicable age for applied behavior analysis from 2-6 to 2-10, and to clarify that the mandate should not be applicable to the small employer market, even if the size of a small employer was expanded. As a result, the current mandate for applied behavior analysis only applies to health insurance issued to large employers as defined by Virginia law.

House Bill 255 includes applied behavior analysis in the definition of “treatment” for mental health and substance use disorders and indicates that a licensed behavior analyst or licensed assistant behavior analyst may render treatment when an insurance policy requires treatment by a licensed mental health professional.

Date: 01/27/16/V. Tompkins

cc: Secretary of Health and Human Resources