

# State Corporation Commission

## 2020 Fiscal Impact Statement

**1. Bill Number:** HB1043

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Krizek

**3. Committee:** Labor and Commerce

**4. Title:** Health insurance; coverage for autism spectrum disorder; individual and small group markets.

**5. Summary:** Eliminates the exemption from the requirements to provide coverage for the diagnosis and treatment of autism spectrum disorder for insurers, corporations, and organizations issuing policies, contracts, and plans in the individual and small group markets. Under current law, only policies, contracts, and plans issued in the large group market are required to provide such coverage.

**6. Budget Amendment Necessary:** No. See Item 8.

**7. Fiscal Impact Estimates:** No fiscal impact on the State Corporation Commission. The impact on the State Health Insurance Plan is unknown at this time.

**8. Fiscal Implications:** None on the State Corporation Commission. The impact on the State Health Insurance Plan is unknown at this time.

**9. Specific Agency or Political Subdivisions Affected:** State Corporation Commission  
Bureau of Insurance and the Department of Health Resource Management

**10. Technical Amendment Necessary:** On Line 102, the date, January 1, 2020, would make the provisions of House Bill 1043 retroactive. It could be addressed by changing the date to January 1, 2021.

**11. Other Comments:** House Bill 1043 extends the autism spectrum disorder coverage mandate, originally enacted in 2011, to the individual and small group markets. Subsection L of § 38.2-3418.7 requires that to the extent that this section requires benefits that exceed the Essential Health Benefits of the ACA, qualified health plans sold in the exchange are exempt from the extension of the coverage mandate. The Centers for Medicare and Medicaid Services, however, have indicated that a differential application of a state's autism mandate may raise concerns under Section 1252 of the Affordable Care Act, which provides that ACA requirements must be applied uniformly to all health plans in each insurance market to which the standard applies.

**Date:** 1/23/20/V.Tompkins