

ASSEMBLY BILL NO. 6—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON HEALTH CARE)

PREFILED DECEMBER 19, 2014

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to autism spectrum disorders. (BDR 54-67)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to autism spectrum disorders; removing certification of autism behavior interventionists by the Board of Psychological Examiners; sunsetting these changes unless legislation providing for an autism behavior interventionist to obtain a certain other certification is enacted; removing the cap on the amount of required insurance coverage for certain treatment; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the certification of autism behavior interventionists by the Board of Psychological Examiners. (NRS 641.0204, 641.172) **Sections 1-11 and 25** of this bill remove this certification. **Section 11** preserves the requirement, however, that an autism behavior interventionist work under the supervision of a licensed psychologist, licensed behavior analyst or licensed assistant behavior analyst.

Existing law requires certain insurers to provide coverage of screening for and diagnosis of autism spectrum disorders and of treatment for autism spectrum disorders for certain persons who are covered by a policy of insurance and requires certain other insurers to provide an option for such coverage. Such required coverage may include behavioral therapy provided by a certified behavior interventionist who is properly supervised. (NRS 287.0276, 689A.0435, 689B.0335, 689C.1655, 695C.1717, 695G.1645) Because that certification has been removed from statute, **sections 12, 14, 16, 18, 20 and 22** of this bill remove the requirement that such therapy be provided by a certified autism behavior interventionist as a condition to required coverage and the required option for



17 coverage. **Sections 12, 14, 16, 18, 20 and 22** preserve the requirement, however,
18 that such therapy be provided by an autism behavior interventionist who is
19 supervised by a licensed psychologist, licensed behavior analyst or licensed
20 assistant behavior analyst before coverage or the option for coverage is required.
21 **Sections 12, 14, 16, 18, 20 and 22** also remove the \$36,000 cap on such coverage.

22 **Section 26** of this bill sunsets the statutory changes that remove certification of
23 autism behavior interventionists by the Board, thereby re-enacting such provisions
24 on July 1, 2017. **Sections 13, 15, 17, 19, 21, 23 and 26** of this bill re-enact the
25 requirement that behavior therapy be provided by a certified autism behavior
26 interventionist as a condition to required coverage and the required option for
27 coverage on January 1, 2018, thereby providing a 6 month period in which a person
28 may obtain certification before certification will affect insurance coverage.

29 **Section 26** provides, however, for the permanent removal of the certification of
30 autism behavior interventionists if, on or before July 1, 2017, legislation is enacted
31 to provide for the certification of an autism behavior interventionist as a Registered
32 Behavior Technician or an equivalent certification by the Behavior Analyst
33 Certification Board, Inc., or its successor organization.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 641.0204 is hereby amended to read as
2 follows:

3 641.0204 “Autism behavior interventionist” means a person
4 who ~~is certified as an autism behavior interventionist by the Board.~~
5 *provides behavioral therapy under the supervision of:*

- 6 1. *A licensed psychologist;*
- 7 2. *A licensed behavior analyst; or*
- 8 3. *A licensed assistant behavior analyst.*

9 **Sec. 2.** NRS 641.100 is hereby amended to read as follows:

10 641.100 The Board may make and promulgate rules and
11 regulations not inconsistent with the provisions of this chapter
12 governing its procedure, the examination ~~[.]~~ *and* licensure ~~and~~
13 ~~certification~~ of applicants, the granting, refusal, revocation or
14 suspension of licenses, ~~and certificates,~~ the practice of psychology
15 and the practice of applied behavior analysis.

16 **Sec. 3.** NRS 641.110 is hereby amended to read as follows:

17 641.110 The Board may, under the provisions of this chapter:

- 18 1. Examine and pass upon the qualifications of the applicants
19 for licensure. ~~and certification.~~
- 20 2. License ~~and certify~~ qualified applicants.
- 21 3. Revoke or suspend licenses. ~~and certificates.~~
- 22 4. Collect all fees and make disbursements pursuant to this
23 chapter.

24 **Sec. 4.** NRS 641.175 is hereby amended to read as follows:

25 641.175 1. In addition to any other requirements set forth in
26 this chapter:



1 (a) An applicant for the issuance of a license ~~for certificate~~ shall
2 include the social security number of the applicant in the application
3 submitted to the Board.

4 (b) An applicant for the issuance or renewal of a license ~~for~~
5 ~~certificate~~ shall submit to the Board the statement prescribed by the
6 Division of Welfare and Supportive Services of the Department of
7 Health and Human Services pursuant to NRS 425.520. The
8 statement must be completed and signed by the applicant.

9 2. The Board shall include the statement required pursuant to
10 subsection 1 in:

11 (a) The application or any other forms that must be submitted
12 for the issuance or renewal of the license ; ~~for certificate;~~ or

13 (b) A separate form prescribed by the Board.

14 3. A license ~~for certificate~~ may not be issued or renewed by
15 the Board if the applicant:

16 (a) Fails to submit the statement required pursuant to subsection
17 1; or

18 (b) Indicates on the statement submitted pursuant to subsection
19 1 that the applicant is subject to a court order for the support of a
20 child and is not in compliance with the order or a plan approved by
21 the district attorney or other public agency enforcing the order for
22 the repayment of the amount owed pursuant to the order.

23 4. If an applicant indicates on the statement submitted pursuant
24 to subsection 1 that the applicant is subject to a court order for the
25 support of a child and is not in compliance with the order or a plan
26 approved by the district attorney or other public agency enforcing
27 the order for the repayment of the amount owed pursuant to the
28 order, the Board shall advise the applicant to contact the district
29 attorney or other public agency enforcing the order to determine the
30 actions that the applicant may take to satisfy the arrearage.

31 **Sec. 5.** NRS 641.220 is hereby amended to read as follows:

32 641.220 1. To renew a license ~~for certificate~~ issued pursuant
33 to this chapter, each person must, on or before the first day of
34 January of each odd-numbered year:

35 (a) Apply to the Board for renewal;

36 (b) Pay the biennial fee for the renewal of a license ; ~~for~~
37 ~~certificate;~~

38 (c) Submit evidence to the Board of completion of the
39 requirements for continuing education; and

40 (d) Submit all information required to complete the renewal.

41 2. Upon renewing his or her license, a psychologist shall
42 declare his or her areas of competence, as determined in accordance
43 with NRS 641.112.



1 3. The Board shall, as a prerequisite for the renewal of a
2 license , ~~for certificate,~~ require each holder to comply with the
3 requirements for continuing education adopted by the Board.

4 **Sec. 6.** NRS 641.230 is hereby amended to read as follows:

5 641.230 The Board may suspend or revoke a person's license
6 as a psychologist, behavior analyst or assistant behavior analyst , ~~for~~
7 ~~certificate as an autism behavior interventionist,~~ place the person
8 on probation, require remediation for the person or take any other
9 action specified by regulation if the Board finds by substantial
10 evidence that the person has:

11 1. Been convicted of a felony relating to the practice of
12 psychology or the practice of applied behavior analysis.

13 2. Been convicted of any crime or offense that reflects the
14 inability of the person to practice psychology or applied behavior
15 analysis with due regard for the health and safety of others.

16 3. Been convicted of violating any of the provisions of NRS
17 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440,
18 inclusive.

19 4. Engaged in gross malpractice or repeated malpractice or
20 gross negligence in the practice of psychology or the practice of
21 applied behavior analysis.

22 5. Aided or abetted the practice of psychology by a person not
23 licensed by the Board.

24 6. Made any fraudulent or untrue statement to the Board.

25 7. Violated a regulation adopted by the Board.

26 8. Had a license to practice psychology or a license or
27 certificate to practice applied behavior analysis suspended or
28 revoked or has had any other disciplinary action taken against the
29 person by another state or territory of the United States, the District
30 of Columbia or a foreign country, if at least one of the grounds for
31 discipline is the same or substantially equivalent to any ground
32 contained in this chapter.

33 9. Failed to report to the Board within 30 days the revocation,
34 suspension or surrender of, or any other disciplinary action taken
35 against, a license or certificate to practice psychology or applied
36 behavior analysis issued to the person by another state or territory of
37 the United States, the District of Columbia or a foreign country.

38 10. Violated or attempted to violate, directly or indirectly, or
39 assisted in or abetted the violation of or conspired to violate a
40 provision of this chapter.

41 11. Performed or attempted to perform any professional service
42 while impaired by alcohol, drugs or by a mental or physical illness,
43 disorder or disease.

44 12. Engaged in sexual activity with a patient or client.



1 13. Been convicted of abuse or fraud in connection with any
2 state or federal program which provides medical assistance.

3 14. Been convicted of submitting a false claim for payment to
4 the insurer of a patient or client.

5 15. Operated a medical facility, as defined in NRS 449.0151, at
6 any time during which:

7 (a) The license of the facility was suspended or revoked; or

8 (b) An act or omission occurred which resulted in the
9 suspension or revocation of the license pursuant to NRS 449.160.

10 ➔ This subsection applies to an owner or other principal responsible
11 for the operation of the facility.

12 **Sec. 7.** NRS 641.232 is hereby amended to read as follows:

13 641.232 The Board shall adopt regulations that establish the
14 grounds for disciplinary action for a licensed behavior analyst ~~[.] or~~
15 licensed assistant behavior analyst . ~~[or certified autism behavior~~
16 ~~interventionist.]~~

17 **Sec. 8.** NRS 641.240 is hereby amended to read as follows:

18 641.240 1. If the Board, a panel of its members or a hearing
19 officer appointed by the Board finds a person guilty in a disciplinary
20 proceeding, it may:

21 (a) Administer a public reprimand.

22 (b) Limit the person's practice.

23 (c) Suspend the person's license ~~[or certificate]~~ for a period of
24 not more than 1 year.

25 (d) Revoke the person's license . ~~[or certificate.]~~

26 (e) Impose a fine of not more than \$5,000.

27 (f) Revoke or suspend the person's license ~~[or certificate]~~ and
28 impose a monetary penalty.

29 (g) Suspend the enforcement of any penalty by placing the
30 person on probation. The Board may revoke the probation if the
31 person does not follow any conditions imposed.

32 (h) Require the person to submit to the supervision of or
33 counseling or treatment by a person designated by the Board. The
34 person named in the complaint is responsible for any expense
35 incurred.

36 (i) Impose and modify any conditions of probation for the
37 protection of the public or the rehabilitation of the probationer.

38 (j) Require the person to pay for the costs of remediation or
39 restitution.

40 2. The Board shall not administer a private reprimand.

41 3. An order that imposes discipline and the findings of fact and
42 conclusions of law supporting that order are public records.

43 **Sec. 9.** NRS 641.242 is hereby amended to read as follows:

44 641.242 1. If the Board receives a copy of a court order
45 issued pursuant to NRS 425.540 that provides for the suspension of



1 all professional, occupational and recreational licenses, certificates
2 and permits issued to a person who is the holder of a license ~~for~~
3 ~~certificate~~ issued pursuant to this chapter, the Board shall deem the
4 license ~~for certificate~~ issued to that person to be suspended at the
5 end of the 30th day after the date on which the court order was
6 issued unless the Board receives a letter issued to the holder of the
7 license ~~for certificate~~ by the district attorney or other public agency
8 pursuant to NRS 425.550 stating that the holder of the license ~~for~~
9 ~~certificate~~ has complied with the subpoena or warrant or has
10 satisfied the arrearage pursuant to NRS 425.560.

11 2. The Board shall reinstate a license ~~for certificate~~ issued
12 pursuant to this chapter that has been suspended by a district court
13 pursuant to NRS 425.540 if the Board receives a letter issued by the
14 district attorney or other public agency pursuant to NRS 425.550 to
15 the person whose license ~~for certificate~~ was suspended stating that
16 the person whose license ~~for certificate~~ was suspended has
17 complied with the subpoena or warrant or has satisfied the arrearage
18 pursuant to NRS 425.560.

19 **Sec. 10.** NRS 641.370 is hereby amended to read as follows:

20 641.370 1. The Board shall charge and collect not more than
21 the following fees respectively:

22	
23	For the national examination, in addition to the actual
24	cost to the Board of the examination..... \$100
25	For any other examination required pursuant to the
26	provisions of subsection 1 of NRS 641.180, in
27	addition to the actual costs to the Board of the
28	examination..... 100
29	For the issuance of an initial license for certificate 25
30	For the biennial renewal of a license of a
31	psychologist..... 500
32	For the biennial renewal of a license of a licensed
33	behavior analyst 400
34	For the biennial renewal of a license of a licensed
35	assistant behavior analyst..... 275
36	For the biennial renewal of a certificate of a certified
37	autism behavior interventionist 175]
38	For the restoration of a license suspended for the
39	nonpayment of the biennial fee for the renewal of
40	a license..... 100
41	For the registration of a firm, partnership or
42	corporation which engages in or offers to engage
43	in the practice of psychology 300
44	For the registration of a nonresident to practice as a
45	consultant 100



2. An applicant who passes the national examination and any other examination required pursuant to the provisions of subsection 1 of NRS 641.180 and who is eligible for a license as a psychologist shall pay the biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

3. An applicant who passes the examination and is eligible for a license as a behavior analyst or assistant behavior analyst ~~for a certificate as a autism behavior interventionist~~ shall pay the biennial fee for the renewal of a license, ~~for certificate,~~ which must be prorated for the period from the date the license ~~for certificate~~ is issued to the end of the biennium.

4. In addition to the fees set forth in subsection 1, the Board may charge and collect a fee for the expedited processing of a request or for any other incidental service it provides. The fee must not exceed the cost to provide the service.

Sec. 11. NRS 641.395 is hereby amended to read as follows:

641.395 1. A licensed assistant behavior analyst shall not provide or supervise ~~behavior~~ *behavioral* therapy except under the supervision of:

- (a) A licensed psychologist; or
- (b) A licensed behavior analyst.

2. ~~[A certified]~~ *An* autism behavior interventionist shall not provide ~~behavior~~ *behavioral* therapy except under the supervision of:

- (a) A licensed psychologist;
- (b) A licensed behavior analyst; or
- (c) A licensed assistant behavior analyst.

Sec. 12. NRS 287.0276 is hereby amended to read as follows:

287.0276 1. The governing body of any county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada that provides health insurance through a plan of self-insurance must provide coverage for screening for and diagnosis of autism spectrum disorders and for treatment of autism spectrum disorders to persons covered by the plan of self-insurance under the age of 18 *years* or, if enrolled in high school, until the person reaches the age of 22 ~~+~~ *years*.

2. Coverage provided under this section is subject to ~~+~~

~~—(a) A maximum benefit of \$36,000 per year for applied behavior analysis treatment; and~~

~~—(b) Copayment,~~ *copayment*, deductible and coinsurance provisions and any other general exclusion or limitation of a plan of self-insurance to the same extent as other medical services or prescription drugs covered by the policy.



1 3. A governing body of any county, school district, municipal
2 corporation, political subdivision, public corporation or other local
3 governmental agency of the State of Nevada that provides health
4 insurance through a plan of self-insurance which provides coverage
5 for outpatient care shall not:

6 (a) Require an insured to pay a higher deductible, copayment or
7 coinsurance or require a longer waiting period for coverage for
8 outpatient care related to autism spectrum disorders than is required
9 for other outpatient care covered by the plan of self-insurance; or

10 (b) Refuse to issue a plan of self-insurance or cancel a plan of
11 self-insurance solely because the person applying for or covered by
12 the plan of self-insurance uses or may use in the future any of the
13 services listed in subsection 1.

14 4. Except as *otherwise* provided in subsections 1 and 2, a
15 governing body of any county, school district, municipal
16 corporation, political subdivision, public corporation or other local
17 governmental agency of the State of Nevada that provides health
18 insurance through a plan of self-insurance shall not limit the number
19 of visits an insured may make to any person, entity or group for
20 treatment of autism spectrum disorders.

21 5. Treatment of autism spectrum disorders must be identified in
22 a treatment plan and may include medically necessary habilitative or
23 rehabilitative care, prescription care, psychiatric care, psychological
24 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

25 (a) Prescribed for a person diagnosed with an autism spectrum
26 disorder by a licensed physician or licensed psychologist; and

27 (b) Provided for a person diagnosed with an autism spectrum
28 disorder by a licensed physician, licensed psychologist, licensed
29 behavior analyst or other provider that is supervised by the licensed
30 physician, psychologist or behavior analyst.

31 ↪ A governing body of any county, school district, municipal
32 corporation, political subdivision, public corporation or other local
33 governmental agency of the State of Nevada that provides health
34 insurance through a plan of self-insurance may request a copy of
35 and review a treatment plan created pursuant to this subsection.

36 6. A plan of self-insurance subject to the provisions of this
37 chapter that is delivered, issued for delivery or renewed on or after
38 July 1, 2011, has the legal effect of including the coverage required
39 by subsection 1, and any provision of the plan of self-insurance or
40 the renewal which is in conflict with subsections 1 or 2 is void.

41 7. Nothing in this section shall be construed as requiring a
42 governing body of any county, school district, municipal
43 corporation, political subdivision, public corporation or other local
44 governmental agency of the State of Nevada that provides health
45 insurance through a plan of self-insurance to provide reimbursement



1 to an early intervention agency or school for services delivered
2 through early intervention or school services.

3 8. As used in this section:

4 (a) “Applied behavior analysis” means the design,
5 implementation and evaluation of environmental modifications
6 using behavioral stimuli and consequences to produce socially
7 significant improvement in human behavior, including, without
8 limitation, the use of direct observation, measurement and
9 functional analysis of the relations between environment and
10 behavior.

11 (b) *“Autism behavior interventionist” means a person who*
12 *provides behavioral therapy under the supervision of:*

13 (1) *A licensed psychologist;*

14 (2) *A licensed behavior analyst; or*

15 (3) *A licensed assistant behavior analyst.*

16 (c) “Autism spectrum disorders” means a neurobiological
17 medical condition including, without limitation, autistic disorder,
18 Asperger’s Disorder and Pervasive Development Disorder Not
19 Otherwise Specified.

20 ~~[(e)]~~ (d) “Behavioral therapy” means any interactive therapy
21 derived from evidence-based research, including, without limitation,
22 discrete trial training, early intensive behavioral intervention,
23 intensive intervention programs, pivotal response training and
24 verbal behavior provided by a licensed psychologist, licensed
25 behavior analyst, licensed assistant behavior analyst or ~~[certified]~~
26 autism behavior interventionist.

27 ~~[(d)]~~ “~~Certified autism behavior interventionist” means a person~~
28 ~~who is certified as an autism behavior interventionist by the Board~~
29 ~~of Psychological Examiners and who provides behavior therapy~~
30 ~~under the supervision of:~~

31 ~~— (1) A licensed psychologist;~~

32 ~~— (2) A licensed behavior analyst; or~~

33 ~~— (3) A licensed assistant behavior analyst.]~~

34 (e) “Evidence-based research” means research that applies
35 rigorous, systematic and objective procedures to obtain valid
36 knowledge relevant to autism spectrum disorders.

37 (f) “Habilitative or rehabilitative care” means counseling,
38 guidance and professional services and treatment programs,
39 including, without limitation, applied behavior analysis, that are
40 necessary to develop, maintain and restore, to the maximum extent
41 practicable, the functioning of a person.

42 (g) “Licensed assistant behavior analyst” means a person who
43 holds current certification or meets the standards to be certified as a
44 board certified assistant behavior analyst issued by the Behavior
45 Analyst Certification Board, Inc., or any successor in interest to that



1 organization, who is licensed as an assistant behavior analyst by the
2 Board of Psychological Examiners and who provides ~~behavior~~
3 *behavioral* therapy under the supervision of a licensed behavior
4 analyst or psychologist.

5 (h) "Licensed behavior analyst" means a person who holds
6 current certification or meets the standards to be certified as a board
7 certified behavior analyst or a board certified assistant behavior
8 analyst issued by the Behavior Analyst Certification Board, Inc., or
9 any successor in interest to that organization and who is licensed as
10 a behavior analyst by the Board of Psychological Examiners.

11 (i) "Prescription care" means medications prescribed by a
12 licensed physician and any health-related services deemed medically
13 necessary to determine the need or effectiveness of the medications.

14 (j) "Psychiatric care" means direct or consultative services
15 provided by a psychiatrist licensed in the state in which the
16 psychiatrist practices.

17 (k) "Psychological care" means direct or consultative services
18 provided by a psychologist licensed in the state in which the
19 psychologist practices.

20 (l) "Screening for autism spectrum disorders" means all
21 medically appropriate assessments, evaluations or tests to diagnose
22 whether a person has an autism spectrum disorder.

23 (m) "Therapeutic care" means services provided by licensed or
24 certified speech pathologists, occupational therapists and physical
25 therapists.

26 (n) "Treatment plan" means a plan to treat an autism spectrum
27 disorder that is prescribed by a licensed physician or licensed
28 psychologist and may be developed pursuant to a comprehensive
29 evaluation in coordination with a licensed behavior analyst.

30 **Sec. 13.** NRS 287.0276 is hereby amended to read as follows:

31 287.0276 1. The governing body of any county, school
32 district, municipal corporation, political subdivision, public
33 corporation or other local governmental agency of the State of
34 Nevada that provides health insurance through a plan of self-
35 insurance must provide coverage for screening for and diagnosis of
36 autism spectrum disorders and for treatment of autism spectrum
37 disorders to persons covered by the plan of self-insurance under the
38 age of 18 years or, if enrolled in high school, until the person
39 reaches the age of 22 years.

40 2. Coverage provided under this section is subject to
41 copayment, deductible and coinsurance provisions and any other
42 general exclusion or limitation of a plan of self-insurance to the
43 same extent as other medical services or prescription drugs covered
44 by the policy.



1 3. A governing body of any county, school district, municipal
2 corporation, political subdivision, public corporation or other local
3 governmental agency of the State of Nevada that provides health
4 insurance through a plan of self-insurance which provides coverage
5 for outpatient care shall not:

6 (a) Require an insured to pay a higher deductible, copayment or
7 coinsurance or require a longer waiting period for coverage for
8 outpatient care related to autism spectrum disorders than is required
9 for other outpatient care covered by the plan of self-insurance; or

10 (b) Refuse to issue a plan of self-insurance or cancel a plan of
11 self-insurance solely because the person applying for or covered by
12 the plan of self-insurance uses or may use in the future any of the
13 services listed in subsection 1.

14 4. Except as otherwise provided in subsections 1 and 2, a
15 governing body of any county, school district, municipal
16 corporation, political subdivision, public corporation or other local
17 governmental agency of the State of Nevada that provides health
18 insurance through a plan of self-insurance shall not limit the number
19 of visits an insured may make to any person, entity or group for
20 treatment of autism spectrum disorders.

21 5. Treatment of autism spectrum disorders must be identified in
22 a treatment plan and may include medically necessary habilitative or
23 rehabilitative care, prescription care, psychiatric care, psychological
24 care, behavioral therapy or therapeutic care that is:

25 (a) Prescribed for a person diagnosed with an autism spectrum
26 disorder by a licensed physician or licensed psychologist; and

27 (b) Provided for a person diagnosed with an autism spectrum
28 disorder by a licensed physician, licensed psychologist, licensed
29 behavior analyst or other provider that is supervised by the licensed
30 physician, psychologist or behavior analyst.

31 ↪ A governing body of any county, school district, municipal
32 corporation, political subdivision, public corporation or other local
33 governmental agency of the State of Nevada that provides health
34 insurance through a plan of self-insurance may request a copy of
35 and review a treatment plan created pursuant to this subsection.

36 6. A plan of self-insurance subject to the provisions of this
37 chapter that is delivered, issued for delivery or renewed on or after
38 July 1, 2011, has the legal effect of including the coverage required
39 by subsection 1, and any provision of the plan of self-insurance or
40 the renewal which is in conflict with subsections 1 or 2 is void.

41 7. Nothing in this section shall be construed as requiring a
42 governing body of any county, school district, municipal
43 corporation, political subdivision, public corporation or other local
44 governmental agency of the State of Nevada that provides health
45 insurance through a plan of self-insurance to provide reimbursement



1 to an early intervention agency or school for services delivered
2 through early intervention or school services.

3 8. As used in this section:

4 (a) “Applied behavior analysis” means the design,
5 implementation and evaluation of environmental modifications
6 using behavioral stimuli and consequences to produce socially
7 significant improvement in human behavior, including, without
8 limitation, the use of direct observation, measurement and
9 functional analysis of the relations between environment and
10 behavior.

11 (b) ~~“Autism behavior interventionist” means a person who
12 provides behavioral therapy under the supervision of:~~

- 13 ~~— (1) A licensed psychologist;~~
14 ~~— (2) A licensed behavior analyst; or~~
15 ~~— (3) A licensed assistant behavior analyst.~~

16 ~~(c)~~ “Autism spectrum disorders” means a neurobiological
17 medical condition including, without limitation, autistic disorder,
18 Asperger’s Disorder and Pervasive Development Disorder Not
19 Otherwise Specified.

20 ~~(d)~~ (c) “Behavioral therapy” means any interactive therapy
21 derived from evidence-based research, including, without limitation,
22 discrete trial training, early intensive behavioral intervention,
23 intensive intervention programs, pivotal response training and
24 verbal behavior provided by a licensed psychologist, licensed
25 behavior analyst, licensed assistant behavior analyst or *certified*
26 autism behavior interventionist.

27 (d) *“Certified autism behavior interventionist” means a person
28 who is certified as an autism behavior interventionist by the Board
29 of Psychological Examiners and who provides behavioral therapy
30 under the supervision of:*

- 31 *(1) A licensed psychologist;*
32 *(2) A licensed behavior analyst; or*
33 *(3) A licensed assistant behavior analyst.*

34 (e) “Evidence-based research” means research that applies
35 rigorous, systematic and objective procedures to obtain valid
36 knowledge relevant to autism spectrum disorders.

37 (f) “Habilitative or rehabilitative care” means counseling,
38 guidance and professional services and treatment programs,
39 including, without limitation, applied behavior analysis, that are
40 necessary to develop, maintain and restore, to the maximum extent
41 practicable, the functioning of a person.

42 (g) “Licensed assistant behavior analyst” means a person who
43 holds current certification or meets the standards to be certified as a
44 board certified assistant behavior analyst issued by the Behavior
45 Analyst Certification Board, Inc., or any successor in interest to that



1 organization, who is licensed as an assistant behavior analyst by the
2 Board of Psychological Examiners and who provides behavioral
3 therapy under the supervision of a licensed behavior analyst or
4 psychologist.

5 (h) "Licensed behavior analyst" means a person who holds
6 current certification or meets the standards to be certified as a board
7 certified behavior analyst or a board certified assistant behavior
8 analyst issued by the Behavior Analyst Certification Board, Inc., or
9 any successor in interest to that organization and who is licensed as
10 a behavior analyst by the Board of Psychological Examiners.

11 (i) "Prescription care" means medications prescribed by a
12 licensed physician and any health-related services deemed medically
13 necessary to determine the need or effectiveness of the medications.

14 (j) "Psychiatric care" means direct or consultative services
15 provided by a psychiatrist licensed in the state in which the
16 psychiatrist practices.

17 (k) "Psychological care" means direct or consultative services
18 provided by a psychologist licensed in the state in which the
19 psychologist practices.

20 (l) "Screening for autism spectrum disorders" means all
21 medically appropriate assessments, evaluations or tests to diagnose
22 whether a person has an autism spectrum disorder.

23 (m) "Therapeutic care" means services provided by licensed or
24 certified speech pathologists, occupational therapists and physical
25 therapists.

26 (n) "Treatment plan" means a plan to treat an autism spectrum
27 disorder that is prescribed by a licensed physician or licensed
28 psychologist and may be developed pursuant to a comprehensive
29 evaluation in coordination with a licensed behavior analyst.

30 **Sec. 14.** NRS 689A.0435 is hereby amended to read as
31 follows:

32 689A.0435 1. A health benefit plan must provide an option
33 of coverage for screening for and diagnosis of autism spectrum
34 disorders and for treatment of autism spectrum disorders for persons
35 covered by the policy under the age of 18 *years* or, if enrolled in
36 high school, until the person reaches the age of 22 ~~[.]~~ *years*.

37 2. Optional coverage provided pursuant to this section must be
38 subject to ~~[-]~~:

39 ~~—(a) A maximum benefit of not less than \$36,000 per year for~~
40 ~~applied behavior analysis treatment; and~~

41 ~~—(b) Copayment.]~~ *copayment*, deductible and coinsurance
42 provisions and any other general exclusions or limitations of a
43 policy of health insurance to the same extent as other medical
44 services or prescription drugs covered by the policy.



1 3. A health benefit plan that offers or issues a policy of health
2 insurance which provides coverage for outpatient care shall not:

3 (a) Require an insured to pay a higher deductible, copayment or
4 coinsurance or require a longer waiting period for optional coverage
5 for outpatient care related to autism spectrum disorders than is
6 required for other outpatient care covered by the policy; or

7 (b) Refuse to issue a policy of health insurance or cancel a
8 policy of health insurance solely because the person applying for or
9 covered by the policy uses or may use in the future any of the
10 services listed in subsection 1.

11 4. Except as *otherwise* provided in subsections 1 and 2, an
12 insurer who offers optional coverage pursuant to subsection 1 shall
13 not limit the number of visits an insured may make to any person,
14 entity or group for treatment of autism spectrum disorders.

15 5. Treatment of autism spectrum disorders must be identified in
16 a treatment plan and may include medically necessary habilitative or
17 rehabilitative care, prescription care, psychiatric care, psychological
18 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

19 (a) Prescribed for a person diagnosed with an autism spectrum
20 disorder by a licensed physician or licensed psychologist; and

21 (b) Provided for a person diagnosed with an autism spectrum
22 disorder by a licensed physician, licensed psychologist, licensed
23 behavior analyst or other provider that is supervised by the licensed
24 physician, psychologist or behavior analyst.

25 ↪ An insurer may request a copy of and review a treatment plan
26 created pursuant to this subsection.

27 6. Nothing in this section shall be construed as requiring an
28 insurer to provide reimbursement to an early intervention agency or
29 school for services delivered through early intervention or school
30 services.

31 7. As used in this section:

32 (a) "Applied behavior analysis" means the design,
33 implementation and evaluation of environmental modifications
34 using behavioral stimuli and consequences to produce socially
35 significant improvement in human behavior, including, without
36 limitation, the use of direct observation, measurement and
37 functional analysis of the relations between environment and
38 behavior.

39 (b) "*Autism behavior interventionist*" means a person who
40 *provides behavioral therapy under the supervision of:*

41 (1) *A licensed psychologist;*

42 (2) *A licensed behavior analyst; or*

43 (3) *A licensed assistant behavior analyst.*

44 (c) "Autism spectrum disorders" means a neurobiological
45 medical condition including, without limitation, autistic disorder,



1 Asperger’s Disorder and Pervasive Developmental Disorder Not
2 Otherwise Specified.

3 ~~[(e)]~~ (d) “Behavioral therapy” means any interactive therapy
4 derived from evidence-based research, including, without limitation,
5 discrete trial training, early intensive behavioral intervention,
6 intensive intervention programs, pivotal response training and
7 verbal behavior provided by a licensed psychologist, licensed
8 behavior analyst, licensed assistant behavior analyst or ~~[certified]~~
9 autism behavior interventionist.

10 ~~[(d) “Certified autism behavior interventionist” means a person
11 who is certified as an autism behavior interventionist by the Board
12 of Psychological Examiners and who provides behavior therapy
13 under the supervision of:~~

- 14 ~~—— (1) A licensed psychologist;~~
15 ~~—— (2) A licensed behavior analyst; or~~
16 ~~—— (3) A licensed assistant behavior analyst.]~~

17 (e) “Evidence-based research” means research that applies
18 rigorous, systematic and objective procedures to obtain valid
19 knowledge relevant to autism spectrum disorders.

20 (f) “Habilitative or rehabilitative care” means counseling,
21 guidance and professional services and treatment programs,
22 including, without limitation, applied behavior analysis, that are
23 necessary to develop, maintain and restore, to the maximum extent
24 practicable, the functioning of a person.

25 (g) “Licensed assistant behavior analyst” means a person who
26 holds current certification or meets the standards to be certified as a
27 board certified assistant behavior analyst issued by the Behavior
28 Analyst Certification Board, Inc., or any successor in interest to that
29 organization, who is licensed as an assistant behavior analyst by the
30 Board of Psychological Examiners and who provides behavioral
31 therapy under the supervision of a licensed behavior analyst or
32 psychologist.

33 (h) “Licensed behavior analyst” means a person who holds
34 current certification or meets the standards to be certified as a board
35 certified behavior analyst or a board certified assistant behavior
36 analyst issued by the Behavior Analyst Certification Board, Inc., or
37 any successor in interest to that organization, and who is licensed as
38 a behavior analyst by the Board of Psychological Examiners.

39 (i) “Prescription care” means medications prescribed by a
40 licensed physician and any health-related services deemed medically
41 necessary to determine the need or effectiveness of the medications.

42 (j) “Psychiatric care” means direct or consultative services
43 provided by a psychiatrist licensed in the state in which the
44 psychiatrist practices.



1 (k) "Psychological care" means direct or consultative services
2 provided by a psychologist licensed in the state in which the
3 psychologist practices.

4 (l) "Screening for autism spectrum disorders" means medically
5 necessary assessments, evaluations or tests to screen and diagnose
6 whether a person has an autism spectrum disorder.

7 (m) "Therapeutic care" means services provided by licensed or
8 certified speech pathologists, occupational therapists and physical
9 therapists.

10 (n) "Treatment plan" means a plan to treat an autism spectrum
11 disorder that is prescribed by a licensed physician or licensed
12 psychologist and may be developed pursuant to a comprehensive
13 evaluation in coordination with a licensed behavior analyst.

14 **Sec. 15.** NRS 689A.0435 is hereby amended to read as
15 follows:

16 689A.0435 1. A health benefit plan must provide an option
17 of coverage for screening for and diagnosis of autism spectrum
18 disorders and for treatment of autism spectrum disorders for persons
19 covered by the policy under the age of 18 years or, if enrolled in
20 high school, until the person reaches the age of 22 years.

21 2. Optional coverage provided pursuant to this section must be
22 subject to copayment, deductible and coinsurance provisions and
23 any other general exclusions or limitations of a policy of health
24 insurance to the same extent as other medical services or
25 prescription drugs covered by the policy.

26 3. A health benefit plan that offers or issues a policy of health
27 insurance which provides coverage for outpatient care shall not:

28 (a) Require an insured to pay a higher deductible, copayment or
29 coinsurance or require a longer waiting period for optional coverage
30 for outpatient care related to autism spectrum disorders than is
31 required for other outpatient care covered by the policy; or

32 (b) Refuse to issue a policy of health insurance or cancel a
33 policy of health insurance solely because the person applying for or
34 covered by the policy uses or may use in the future any of the
35 services listed in subsection 1.

36 4. Except as otherwise provided in subsections 1 and 2, an
37 insurer who offers optional coverage pursuant to subsection 1 shall
38 not limit the number of visits an insured may make to any person,
39 entity or group for treatment of autism spectrum disorders.

40 5. Treatment of autism spectrum disorders must be identified in
41 a treatment plan and may include medically necessary habilitative or
42 rehabilitative care, prescription care, psychiatric care, psychological
43 care, behavioral therapy or therapeutic care that is:

44 (a) Prescribed for a person diagnosed with an autism spectrum
45 disorder by a licensed physician or licensed psychologist; and



(b) Provided for a person diagnosed with an autism spectrum disorder by a licensed physician, licensed psychologist, licensed behavior analyst or other provider that is supervised by the licensed physician, psychologist or behavior analyst.

↳ An insurer may request a copy of and review a treatment plan created pursuant to this subsection.

6. Nothing in this section shall be construed as requiring an insurer to provide reimbursement to an early intervention agency or school for services delivered through early intervention or school services.

7. As used in this section:

(a) “Applied behavior analysis” means the design, implementation and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including, without limitation, the use of direct observation, measurement and functional analysis of the relations between environment and behavior.

~~(b) “Autism behavior interventionist” means a person who provides behavioral therapy under the supervision of:~~

~~— (1) A licensed psychologist;~~

~~— (2) A licensed behavior analyst; or~~

~~— (3) A licensed assistant behavior analyst.~~

~~(c)~~ “Autism spectrum disorders” means a neurobiological medical condition including, without limitation, autistic disorder, Asperger’s Disorder and Pervasive Developmental Disorder Not Otherwise Specified.

~~(d)~~ (c) “Behavioral therapy” means any interactive therapy derived from evidence-based research, including, without limitation, discrete trial training, early intensive behavioral intervention, intensive intervention programs, pivotal response training and verbal behavior provided by a licensed psychologist, licensed behavior analyst, licensed assistant behavior analyst or *certified* autism behavior interventionist.

(d) “Certified autism behavior interventionist” means a person who is certified as an autism behavior interventionist by the Board of Psychological Examiners and who provides behavioral therapy under the supervision of:

(1) A licensed psychologist;

(2) A licensed behavior analyst; or

(3) A licensed assistant behavior analyst.

(e) “Evidence-based research” means research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to autism spectrum disorders.



1 (f) "Habilitative or rehabilitative care" means counseling,
2 guidance and professional services and treatment programs,
3 including, without limitation, applied behavior analysis, that are
4 necessary to develop, maintain and restore, to the maximum extent
5 practicable, the functioning of a person.

6 (g) "Licensed assistant behavior analyst" means a person who
7 holds current certification or meets the standards to be certified as a
8 board certified assistant behavior analyst issued by the Behavior
9 Analyst Certification Board, Inc., or any successor in interest to that
10 organization, who is licensed as an assistant behavior analyst by the
11 Board of Psychological Examiners and who provides behavioral
12 therapy under the supervision of a licensed behavior analyst or
13 psychologist.

14 (h) "Licensed behavior analyst" means a person who holds
15 current certification or meets the standards to be certified as a board
16 certified behavior analyst or a board certified assistant behavior
17 analyst issued by the Behavior Analyst Certification Board, Inc., or
18 any successor in interest to that organization, and who is licensed as
19 a behavior analyst by the Board of Psychological Examiners.

20 (i) "Prescription care" means medications prescribed by a
21 licensed physician and any health-related services deemed medically
22 necessary to determine the need or effectiveness of the medications.

23 (j) "Psychiatric care" means direct or consultative services
24 provided by a psychiatrist licensed in the state in which the
25 psychiatrist practices.

26 (k) "Psychological care" means direct or consultative services
27 provided by a psychologist licensed in the state in which the
28 psychologist practices.

29 (l) "Screening for autism spectrum disorders" means medically
30 necessary assessments, evaluations or tests to screen and diagnose
31 whether a person has an autism spectrum disorder.

32 (m) "Therapeutic care" means services provided by licensed or
33 certified speech pathologists, occupational therapists and physical
34 therapists.

35 (n) "Treatment plan" means a plan to treat an autism spectrum
36 disorder that is prescribed by a licensed physician or licensed
37 psychologist and may be developed pursuant to a comprehensive
38 evaluation in coordination with a licensed behavior analyst.

39 **Sec. 16.** NRS 689B.0335 is hereby amended to read as
40 follows:

41 689B.0335 1. A health benefit plan must provide coverage
42 for screening for and diagnosis of autism spectrum disorders and for
43 treatment of autism spectrum disorders to persons covered by the
44 policy of group health insurance under the age of 18 *years* or, if



1 enrolled in high school, until the person reaches the age of 22 ~~§~~
2 *years.*

3 2. Coverage provided under this section is subject to ~~§~~
4 ~~—(a) A maximum benefit of \$36,000 per year for applied behavior~~
5 ~~analysis treatment; and~~
6 ~~—(b) Copayment,]~~ *copayment*, deductible and coinsurance
7 provisions and any other general exclusion or limitation of a policy
8 of group health insurance to the same extent as other medical
9 services or prescription drugs covered by the policy.

10 3. A health benefit plan that offers or issues a policy of group
11 health insurance which provides coverage for outpatient care shall
12 not:

13 (a) Require an insured to pay a higher deductible, copayment or
14 coinsurance or require a longer waiting period for coverage for
15 outpatient care related to autism spectrum disorders than is required
16 for other outpatient care covered by the policy; or

17 (b) Refuse to issue a policy of group health insurance or cancel a
18 policy of group health insurance solely because the person applying
19 for or covered by the policy uses or may use in the future any of the
20 services listed in subsection 1.

21 4. Except as *otherwise* provided in subsections 1 and 2, an
22 insurer shall not limit the number of visits an insured may make to
23 any person, entity or group for treatment of autism spectrum
24 disorders.

25 5. Treatment of autism spectrum disorders must be identified in
26 a treatment plan and may include medically necessary habilitative or
27 rehabilitative care, prescription care, psychiatric care, psychological
28 care, ~~behavior]~~ *behavioral* therapy or therapeutic care that is:

29 (a) Prescribed for a person diagnosed with an autism spectrum
30 disorder by a licensed physician or licensed psychologist; and

31 (b) Provided for a person diagnosed with an autism spectrum
32 disorder by a licensed physician, licensed psychologist, licensed
33 behavior analyst or other provider that is supervised by the licensed
34 physician, psychologist or behavior analyst.

35 ↪ An insurer may request a copy of and review a treatment plan
36 created pursuant to this subsection.

37 6. A policy subject to the provisions of this chapter that is
38 delivered, issued for delivery or renewed on or after January 1,
39 2011, has the legal effect of including the coverage required by
40 subsection 1, and any provision of the policy or the renewal which is
41 in conflict with subsection 1 or 2 is void.

42 7. Nothing in this section shall be construed as requiring an
43 insurer to provide reimbursement to an early intervention agency or
44 school for services delivered through early intervention or school
45 services.



1 8. As used in this section:

2 (a) “Applied behavior analysis” means the design,
3 implementation and evaluation of environmental modifications
4 using behavioral stimuli and consequences to produce socially
5 significant improvement in human behavior, including, without
6 limitation, the use of direct observation, measurement and
7 functional analysis of the relations between environment and
8 behavior.

9 (b) *“Autism behavior interventionist” means a person who*
10 *provides behavioral therapy under the supervision of:*

11 *(1) A licensed psychologist;*

12 *(2) A licensed behavior analyst; or*

13 *(3) A licensed assistant behavior analyst.*

14 (c) “Autism spectrum disorders” means a neurobiological
15 medical condition including, without limitation, autistic disorder,
16 Asperger’s Disorder and Pervasive Developmental Disorder Not
17 Otherwise Specified.

18 ~~[(e)]~~ (d) “Behavioral therapy” means any interactive therapy
19 derived from evidence-based research, including, without limitation,
20 discrete trial training, early intensive behavioral intervention,
21 intensive intervention programs, pivotal response training and
22 verbal behavior provided by a licensed psychologist, licensed
23 behavior analyst, licensed assistant behavior analyst or ~~[certified]~~
24 autism behavior interventionist.

25 ~~[(d)]~~ “~~Certified autism behavior interventionist” means a person~~
26 ~~who is certified as an autism behavior interventionist by the Board~~
27 ~~of Psychological Examiners and who provides behavior therapy~~
28 ~~under the supervision of:~~

29 ~~— (1) A licensed psychologist;~~

30 ~~— (2) A licensed behavior analyst; or~~

31 ~~— (3) A licensed assistant behavior analyst.]~~

32 (e) “Evidence-based research” means research that applies
33 rigorous, systematic and objective procedures to obtain valid
34 knowledge relevant to autism spectrum disorders.

35 (f) “Habilitative or rehabilitative care” means counseling,
36 guidance and professional services and treatment programs,
37 including, without limitation, applied behavior analysis, that are
38 necessary to develop, maintain and restore, to the maximum extent
39 practicable, the functioning of a person.

40 (g) “Licensed assistant behavior analyst” means a person who
41 holds current certification or meets the standards to be certified as a
42 board certified assistant behavior analyst issued by the Behavior
43 Analyst Certification Board, Inc., or any successor in interest to that
44 organization, who is licensed as an assistant behavior analyst by the
45 Board of Psychological Examiners and who provides behavioral



1 therapy under the supervision of a licensed behavior analyst or
2 psychologist.

3 (h) "Licensed behavior analyst" means a person who holds
4 current certification or meets the standards to be certified as a board
5 certified behavior analyst or a board certified assistant behavior
6 analyst issued by the Behavior Analyst Certification Board, Inc., or
7 any successor in interest to that organization and who is licensed as
8 a behavior analyst by the Board of Psychological Examiners.

9 (i) "Prescription care" means medications prescribed by a
10 licensed physician and any health-related services deemed medically
11 necessary to determine the need or effectiveness of the medications.

12 (j) "Psychiatric care" means direct or consultative services
13 provided by a psychiatrist licensed in the state in which the
14 psychiatrist practices.

15 (k) "Psychological care" means direct or consultative services
16 provided by a psychologist licensed in the state in which the
17 psychologist practices.

18 (l) "Screening for autism spectrum disorders" means medically
19 necessary assessments, evaluations or tests to screen and diagnose
20 whether a person has an autism spectrum disorder.

21 (m) "Therapeutic care" means services provided by licensed or
22 certified speech pathologists, occupational therapists and physical
23 therapists.

24 (n) "Treatment plan" means a plan to treat an autism spectrum
25 disorder that is prescribed by a licensed physician or licensed
26 psychologist and may be developed pursuant to a comprehensive
27 evaluation in coordination with a licensed behavior analyst.

28 **Sec. 17.** NRS 689B.0335 is hereby amended to read as
29 follows:

30 689B.0335 1. A health benefit plan must provide coverage
31 for screening for and diagnosis of autism spectrum disorders and for
32 treatment of autism spectrum disorders to persons covered by the
33 policy of group health insurance under the age of 18 years or, if
34 enrolled in high school, until the person reaches the age of 22 years.

35 2. Coverage provided under this section is subject to
36 copayment, deductible and coinsurance provisions and any other
37 general exclusion or limitation of a policy of group health insurance
38 to the same extent as other medical services or prescription drugs
39 covered by the policy.

40 3. A health benefit plan that offers or issues a policy of group
41 health insurance which provides coverage for outpatient care shall
42 not:

43 (a) Require an insured to pay a higher deductible, copayment or
44 coinsurance or require a longer waiting period for coverage for



1 outpatient care related to autism spectrum disorders than is required
2 for other outpatient care covered by the policy; or

3 (b) Refuse to issue a policy of group health insurance or cancel a
4 policy of group health insurance solely because the person applying
5 for or covered by the policy uses or may use in the future any of the
6 services listed in subsection 1.

7 4. Except as otherwise provided in subsections 1 and 2, an
8 insurer shall not limit the number of visits an insured may make to
9 any person, entity or group for treatment of autism spectrum
10 disorders.

11 5. Treatment of autism spectrum disorders must be identified in
12 a treatment plan and may include medically necessary habilitative or
13 rehabilitative care, prescription care, psychiatric care, psychological
14 care, behavioral therapy or therapeutic care that is:

15 (a) Prescribed for a person diagnosed with an autism spectrum
16 disorder by a licensed physician or licensed psychologist; and

17 (b) Provided for a person diagnosed with an autism spectrum
18 disorder by a licensed physician, licensed psychologist, licensed
19 behavior analyst or other provider that is supervised by the licensed
20 physician, psychologist or behavior analyst.

21 ➤ An insurer may request a copy of and review a treatment plan
22 created pursuant to this subsection.

23 6. A policy subject to the provisions of this chapter that is
24 delivered, issued for delivery or renewed on or after January 1,
25 2011, has the legal effect of including the coverage required by
26 subsection 1, and any provision of the policy or the renewal which is
27 in conflict with subsection 1 or 2 is void.

28 7. Nothing in this section shall be construed as requiring an
29 insurer to provide reimbursement to an early intervention agency or
30 school for services delivered through early intervention or school
31 services.

32 8. As used in this section:

33 (a) "Applied behavior analysis" means the design,
34 implementation and evaluation of environmental modifications
35 using behavioral stimuli and consequences to produce socially
36 significant improvement in human behavior, including, without
37 limitation, the use of direct observation, measurement and
38 functional analysis of the relations between environment and
39 behavior.

40 (b) ~~["Autism behavior interventionist" means a person who~~
41 ~~provides behavioral therapy under the supervision of:~~

42 ~~— (1) A licensed psychologist;~~

43 ~~— (2) A licensed behavior analyst; or~~

44 ~~— (3) A licensed assistant behavior analyst.~~



1 ~~(e)~~ “Autism spectrum disorders” means a neurobiological
2 medical condition including, without limitation, autistic disorder,
3 Asperger’s Disorder and Pervasive Developmental Disorder Not
4 Otherwise Specified.

5 ~~(d)~~ (c) “Behavioral therapy” means any interactive therapy
6 derived from evidence-based research, including, without limitation,
7 discrete trial training, early intensive behavioral intervention,
8 intensive intervention programs, pivotal response training and
9 verbal behavior provided by a licensed psychologist, licensed
10 behavior analyst, licensed assistant behavior analyst or *certified*
11 autism behavior interventionist.

12 (d) *“Certified autism behavior interventionist” means a person*
13 *who is certified as an autism behavior interventionist by the Board*
14 *of Psychological Examiners and who provides behavioral therapy*
15 *under the supervision of:*

16 (1) *A licensed psychologist;*

17 (2) *A licensed behavior analyst; or*

18 (3) *A licensed assistant behavior analyst.*

19 (e) “Evidence-based research” means research that applies
20 rigorous, systematic and objective procedures to obtain valid
21 knowledge relevant to autism spectrum disorders.

22 (f) “Habilitative or rehabilitative care” means counseling,
23 guidance and professional services and treatment programs,
24 including, without limitation, applied behavior analysis, that are
25 necessary to develop, maintain and restore, to the maximum extent
26 practicable, the functioning of a person.

27 (g) “Licensed assistant behavior analyst” means a person who
28 holds current certification or meets the standards to be certified as a
29 board certified assistant behavior analyst issued by the Behavior
30 Analyst Certification Board, Inc., or any successor in interest to that
31 organization, who is licensed as an assistant behavior analyst by the
32 Board of Psychological Examiners and who provides behavioral
33 therapy under the supervision of a licensed behavior analyst or
34 psychologist.

35 (h) “Licensed behavior analyst” means a person who holds
36 current certification or meets the standards to be certified as a board
37 certified behavior analyst or a board certified assistant behavior
38 analyst issued by the Behavior Analyst Certification Board, Inc., or
39 any successor in interest to that organization and who is licensed as
40 a behavior analyst by the Board of Psychological Examiners.

41 (i) “Prescription care” means medications prescribed by a
42 licensed physician and any health-related services deemed medically
43 necessary to determine the need or effectiveness of the medications.



1 (j) "Psychiatric care" means direct or consultative services
2 provided by a psychiatrist licensed in the state in which the
3 psychiatrist practices.

4 (k) "Psychological care" means direct or consultative services
5 provided by a psychologist licensed in the state in which the
6 psychologist practices.

7 (l) "Screening for autism spectrum disorders" means medically
8 necessary assessments, evaluations or tests to screen and diagnose
9 whether a person has an autism spectrum disorder.

10 (m) "Therapeutic care" means services provided by licensed or
11 certified speech pathologists, occupational therapists and physical
12 therapists.

13 (n) "Treatment plan" means a plan to treat an autism spectrum
14 disorder that is prescribed by a licensed physician or licensed
15 psychologist and may be developed pursuant to a comprehensive
16 evaluation in coordination with a licensed behavior analyst.

17 **Sec. 18.** NRS 689C.1655 is hereby amended to read as
18 follows:

19 689C.1655 1. A health benefit plan must provide coverage
20 for screening for and diagnosis of autism spectrum disorders and for
21 treatment of autism spectrum disorders to persons covered by the
22 health benefit plan under the age of 18 *years* or, if enrolled in high
23 school, until the person reaches the age of 22 ~~[-]~~ *years*.

24 2. Coverage provided under this section is subject to ~~f:~~
25 ~~—(a) A maximum benefit of \$36,000 per year for applied behavior~~
26 ~~analysis treatment; and~~
27 ~~—(b) Copayment.]~~ *copayment*, deductible and coinsurance
28 provisions and any other general exclusion or limitation of a health
29 benefit plan to the same extent as other medical services or
30 prescription drugs covered by the plan.

31 3. A health benefit plan that offers or issues a policy of group
32 health insurance which provides coverage for outpatient care shall
33 not:

34 (a) Require an insured to pay a higher deductible, copayment or
35 coinsurance or require a longer waiting period for coverage for
36 outpatient care related to autism spectrum disorders than is required
37 for other outpatient care covered by the plan; or

38 (b) Refuse to issue a health benefit plan or cancel a health
39 benefit plan solely because the person applying for or covered by
40 the plan uses or may use in the future any of the services listed in
41 subsection 1.

42 4. Except as *otherwise* provided in subsections 1 and 2, a
43 carrier shall not limit the number of visits an insured may make to
44 any person, entity or group for treatment of autism spectrum
45 disorders.



1 5. Treatment of autism spectrum disorders must be identified in
2 a treatment plan and may include medically necessary habilitative or
3 rehabilitative care, prescription care, psychiatric care, psychological
4 care, ~~[behavior]~~ *behavioral* therapy or therapeutic care that is:

5 (a) Prescribed for a person diagnosed with an autism spectrum
6 disorder by a licensed physician or licensed psychologist; and

7 (b) Provided for a person diagnosed with an autism spectrum
8 disorder by a licensed physician, licensed psychologist, licensed
9 behavior analyst or other provider that is supervised by the licensed
10 physician, psychologist or behavior analyst.

11 ↪ A carrier may request a copy of and review a treatment plan
12 created pursuant to this subsection.

13 6. A health benefit plan subject to the provisions of this chapter
14 that is delivered, issued for delivery or renewed on or after
15 January 1, 2011, has the legal effect of including the coverage
16 required by subsection 1, and any provision of the plan or the
17 renewal which is in conflict with subsection 1 or 2 is void.

18 7. Nothing in this section shall be construed as requiring a
19 carrier to provide reimbursement to an early intervention agency or
20 school for services delivered through early intervention or school
21 services.

22 8. As used in this section:

23 (a) "Applied behavior analysis" means the design,
24 implementation and evaluation of environmental modifications
25 using behavioral stimuli and consequences to produce socially
26 significant improvement in human behavior, including, without
27 limitation, the use of direct observation, measurement and
28 functional analysis of the relations between environment and
29 behavior.

30 (b) "*Autism behavior interventionist*" means a person who
31 *provides behavioral therapy under the supervision of:*

32 (1) *A licensed psychologist;*

33 (2) *A licensed behavior analyst; or*

34 (3) *A licensed assistant behavior analyst.*

35 (c) "Autism spectrum disorders" means a neurobiological
36 medical condition including, without limitation, autistic disorder,
37 Asperger's Disorder and Pervasive Developmental Disorder Not
38 Otherwise Specified.

39 ~~[(e)]~~ (d) "Behavioral therapy" means any interactive therapy
40 derived from evidence-based research, including, without limitation,
41 discrete trial training, early intensive behavioral intervention,
42 intensive intervention programs, pivotal response training and
43 verbal behavior provided by a licensed psychologist, licensed
44 behavior analyst, licensed assistant behavior analyst or ~~[certified]~~
45 autism behavior interventionist.



1 ~~[(d) “Certified autism behavior interventionist” means a person~~
2 ~~who is certified as an autism behavior interventionist by the Board~~
3 ~~of Psychological Examiners and who provides behavior therapy~~
4 ~~under the supervision of:~~

- 5 ~~— (1) A licensed psychologist;~~
6 ~~— (2) A licensed behavior analyst; or~~
7 ~~— (3) A licensed assistant behavior analyst.]~~

8 (e) “Evidence-based research” means research that applies
9 rigorous, systematic and objective procedures to obtain valid
10 knowledge relevant to autism spectrum disorders.

11 (f) “Habilitative or rehabilitative care” means counseling,
12 guidance and professional services and treatment programs,
13 including, without limitation, applied behavior analysis, that are
14 necessary to develop, maintain and restore, to the maximum extent
15 practicable, the functioning of a person.

16 (g) “Licensed assistant behavior analyst” means a person who
17 holds current certification or meets the standards to be certified as a
18 board certified assistant behavior analyst issued by the Behavior
19 Analyst Certification Board, Inc., or any successor in interest to that
20 organization, who is licensed as an assistant behavior analyst by the
21 Board of Psychological Examiners and who provides behavioral
22 therapy under the supervision of a licensed behavior analyst or
23 psychologist.

24 (h) “Licensed behavior analyst” means a person who holds
25 current certification or meets the standards to be certified as a board
26 certified behavior analyst or a board certified assistant behavior
27 analyst issued by the Behavior Analyst Certification Board, Inc., or
28 any successor in interest to that organization and who is licensed as
29 a behavior analyst by the Board of Psychological Examiners.

30 (i) “Prescription care” means medications prescribed by a
31 licensed physician and any health-related services deemed medically
32 necessary to determine the need or effectiveness of the medications.

33 (j) “Psychiatric care” means direct or consultative services
34 provided by a psychiatrist licensed in the state in which the
35 psychiatrist practices.

36 (k) “Psychological care” means direct or consultative services
37 provided by a psychologist licensed in the state in which the
38 psychologist practices.

39 (l) “Screening for autism spectrum disorders” means medically
40 necessary assessments, evaluations or tests to screen and diagnose
41 whether a person has an autism spectrum disorder.

42 (m) “Therapeutic care” means services provided by licensed or
43 certified speech pathologists, occupational therapists and physical
44 therapists.



1 (n) "Treatment plan" means a plan to treat an autism spectrum
2 disorder that is prescribed by a licensed physician or licensed
3 psychologist and may be developed pursuant to a comprehensive
4 evaluation in coordination with a licensed behavior analyst.

5 **Sec. 19.** NRS 689C.1655 is hereby amended to read as
6 follows:

7 689C.1655 1. A health benefit plan must provide coverage
8 for screening for and diagnosis of autism spectrum disorders and for
9 treatment of autism spectrum disorders to persons covered by the
10 health benefit plan under the age of 18 years or, if enrolled in high
11 school, until the person reaches the age of 22 years.

12 2. Coverage provided under this section is subject to
13 copayment, deductible and coinsurance provisions and any other
14 general exclusion or limitation of a health benefit plan to the same
15 extent as other medical services or prescription drugs covered by the
16 plan.

17 3. A health benefit plan that offers or issues a policy of group
18 health insurance which provides coverage for outpatient care shall
19 not:

20 (a) Require an insured to pay a higher deductible, copayment or
21 coinsurance or require a longer waiting period for coverage for
22 outpatient care related to autism spectrum disorders than is required
23 for other outpatient care covered by the plan; or

24 (b) Refuse to issue a health benefit plan or cancel a health
25 benefit plan solely because the person applying for or covered by
26 the plan uses or may use in the future any of the services listed in
27 subsection 1.

28 4. Except as otherwise provided in subsections 1 and 2, a
29 carrier shall not limit the number of visits an insured may make to
30 any person, entity or group for treatment of autism spectrum
31 disorders.

32 5. Treatment of autism spectrum disorders must be identified in
33 a treatment plan and may include medically necessary habilitative or
34 rehabilitative care, prescription care, psychiatric care, psychological
35 care, behavioral therapy or therapeutic care that is:

36 (a) Prescribed for a person diagnosed with an autism spectrum
37 disorder by a licensed physician or licensed psychologist; and

38 (b) Provided for a person diagnosed with an autism spectrum
39 disorder by a licensed physician, licensed psychologist, licensed
40 behavior analyst or other provider that is supervised by the licensed
41 physician, psychologist or behavior analyst.

42 ↪ A carrier may request a copy of and review a treatment plan
43 created pursuant to this subsection.

44 6. A health benefit plan subject to the provisions of this chapter
45 that is delivered, issued for delivery or renewed on or after



1 January 1, 2011, has the legal effect of including the coverage
2 required by subsection 1, and any provision of the plan or the
3 renewal which is in conflict with subsection 1 or 2 is void.

4 7. Nothing in this section shall be construed as requiring a
5 carrier to provide reimbursement to an early intervention agency or
6 school for services delivered through early intervention or school
7 services.

8 8. As used in this section:

9 (a) "Applied behavior analysis" means the design,
10 implementation and evaluation of environmental modifications
11 using behavioral stimuli and consequences to produce socially
12 significant improvement in human behavior, including, without
13 limitation, the use of direct observation, measurement and
14 functional analysis of the relations between environment and
15 behavior.

16 (b) ~~["Autism behavior interventionist" means a person who~~
17 ~~provides behavioral therapy under the supervision of:~~

18 ~~— (1) A licensed psychologist;~~

19 ~~— (2) A licensed behavior analyst; or~~

20 ~~— (3) A licensed assistant behavior analyst.~~

21 ~~(c)~~ "Autism spectrum disorders" means a neurobiological
22 medical condition including, without limitation, autistic disorder,
23 Asperger's Disorder and Pervasive Developmental Disorder Not
24 Otherwise Specified.

25 ~~(d)~~ (c) "Behavioral therapy" means any interactive therapy
26 derived from evidence-based research, including, without limitation,
27 discrete trial training, early intensive behavioral intervention,
28 intensive intervention programs, pivotal response training and
29 verbal behavior provided by a licensed psychologist, licensed
30 behavior analyst, licensed assistant behavior analyst or *certified*
31 autism behavior interventionist.

32 (d) "*Certified autism behavior interventionist*" means a person
33 who is certified as an autism behavior interventionist by the Board
34 of Psychological Examiners and who provides behavioral therapy
35 under the supervision of:

36 (1) *A licensed psychologist;*

37 (2) *A licensed behavior analyst; or*

38 (3) *A licensed assistant behavior analyst.*

39 (e) "Evidence-based research" means research that applies
40 rigorous, systematic and objective procedures to obtain valid
41 knowledge relevant to autism spectrum disorders.

42 (f) "Habilitative or rehabilitative care" means counseling,
43 guidance and professional services and treatment programs,
44 including, without limitation, applied behavior analysis, that are



1 necessary to develop, maintain and restore, to the maximum extent
2 practicable, the functioning of a person.

3 (g) "Licensed assistant behavior analyst" means a person who
4 holds current certification or meets the standards to be certified as a
5 board certified assistant behavior analyst issued by the Behavior
6 Analyst Certification Board, Inc., or any successor in interest to that
7 organization, who is licensed as an assistant behavior analyst by the
8 Board of Psychological Examiners and who provides behavioral
9 therapy under the supervision of a licensed behavior analyst or
10 psychologist.

11 (h) "Licensed behavior analyst" means a person who holds
12 current certification or meets the standards to be certified as a board
13 certified behavior analyst or a board certified assistant behavior
14 analyst issued by the Behavior Analyst Certification Board, Inc., or
15 any successor in interest to that organization and who is licensed as
16 a behavior analyst by the Board of Psychological Examiners.

17 (i) "Prescription care" means medications prescribed by a
18 licensed physician and any health-related services deemed medically
19 necessary to determine the need or effectiveness of the medications.

20 (j) "Psychiatric care" means direct or consultative services
21 provided by a psychiatrist licensed in the state in which the
22 psychiatrist practices.

23 (k) "Psychological care" means direct or consultative services
24 provided by a psychologist licensed in the state in which the
25 psychologist practices.

26 (l) "Screening for autism spectrum disorders" means medically
27 necessary assessments, evaluations or tests to screen and diagnose
28 whether a person has an autism spectrum disorder.

29 (m) "Therapeutic care" means services provided by licensed or
30 certified speech pathologists, occupational therapists and physical
31 therapists.

32 (n) "Treatment plan" means a plan to treat an autism spectrum
33 disorder that is prescribed by a licensed physician or licensed
34 psychologist and may be developed pursuant to a comprehensive
35 evaluation in coordination with a licensed behavior analyst.

36 **Sec. 20.** NRS 695C.1717 is hereby amended to read as
37 follows:

38 695C.1717 1. A health care plan issued by a health
39 maintenance organization must provide coverage for screening for
40 and diagnosis of autism spectrum disorders and for treatment of
41 autism spectrum disorders to persons covered by the health care
42 plan under the age of 18 **years** or, if enrolled in high school, until
43 the person reaches the age of 22 **½ years**.

44 2. Coverage provided under this section is subject to **½**



1 —(a) A maximum benefit of \$36,000 per year for applied behavior
2 analysis treatment; and

3 —(b) Copayment,] *copayment*, deductible and coinsurance
4 provisions and any other general exclusion or limitation of a health
5 care plan to the same extent as other medical services or prescription
6 drugs covered by the plan.

7 3. A health care plan issued by a health maintenance
8 organization that provides coverage for outpatient care shall not:

9 (a) Require an enrollee to pay a higher deductible, copayment or
10 coinsurance or require a longer waiting period for coverage for
11 outpatient care related to autism spectrum disorders than is required
12 for other outpatient care covered by the plan; or

13 (b) Refuse to issue a health care plan or cancel a health care plan
14 solely because the person applying for or covered by the plan uses
15 or may use in the future any of the services listed in subsection 1.

16 4. Except as *otherwise* provided in subsections 1 and 2, a
17 health maintenance organization shall not limit the number of visits
18 an enrollee may make to any person, entity or group for treatment of
19 autism spectrum disorders.

20 5. Treatment of autism spectrum disorders must be identified in
21 a treatment plan and may include medically necessary habilitative or
22 rehabilitative care, prescription care, psychiatric care, psychological
23 care, ~~behavior~~ *behavioral* therapy or therapeutic care that is:

24 (a) Prescribed for a person diagnosed with an autism spectrum
25 disorder by a licensed physician or licensed psychologist; and

26 (b) Provided for a person diagnosed with an autism spectrum
27 disorder by a licensed physician, licensed psychologist, licensed
28 behavior analyst or other provider that is supervised by the licensed
29 physician, psychologist or behavior analyst.

30 ↪ A health maintenance organization may request a copy of and
31 review a treatment plan created pursuant to this subsection.

32 6. Evidence of coverage subject to the provisions of this
33 chapter that is delivered, issued for delivery or renewed on or after
34 January 1, 2011, has the legal effect of including the coverage
35 required by subsection 1, and any provision of the evidence of
36 coverage or the renewal which is in conflict with subsection 1 or 2 is
37 void.

38 7. Nothing in this section shall be construed as requiring a
39 health maintenance organization to provide reimbursement to an
40 early intervention agency or school for services delivered through
41 early intervention or school services.

42 8. As used in this section:

43 (a) “Applied behavior analysis” means the design,
44 implementation and evaluation of environmental modifications
45 using behavioral stimuli and consequences to produce socially



1 significant improvement in human behavior, including, without
2 limitation, the use of direct observation, measurement and
3 functional analysis of the relations between environment and
4 behavior.

5 (b) *“Autism behavior interventionist” means a person who*
6 *provides behavioral therapy under the supervision of:*

- 7 (1) *A licensed psychologist;*
8 (2) *A licensed behavior analyst; or*
9 (3) *A licensed assistant behavior analyst.*

10 (c) “Autism spectrum disorders” means a neurobiological
11 medical condition including, without limitation, autistic disorder,
12 Asperger’s Disorder and Pervasive Developmental Disorder Not
13 Otherwise Specified.

14 ~~[(e)]~~ (d) “Behavioral therapy” means any interactive therapy
15 derived from evidence-based research, including, without limitation,
16 discrete trial training, early intensive behavioral intervention,
17 intensive intervention programs, pivotal response training and
18 verbal behavior provided by a licensed psychologist, licensed
19 behavior analyst, licensed assistant behavior analyst or ~~[certified]~~
20 autism behavior interventionist.

21 ~~[(d)]~~ ~~“Certified autism behavior interventionist” means a person~~
22 ~~who is certified as an autism behavior interventionist by the Board~~
23 ~~of Psychological Examiners and who provides behavior therapy~~
24 ~~under the supervision of:~~

- 25 ~~— (1) A licensed psychologist;~~
26 ~~— (2) A licensed behavior analyst; or~~
27 ~~— (3) A licensed assistant behavior analyst.]~~

28 (e) “Evidence-based research” means research that applies
29 rigorous, systematic and objective procedures to obtain valid
30 knowledge relevant to autism spectrum disorders.

31 (f) “Habilitative or rehabilitative care” means counseling,
32 guidance and professional services and treatment programs,
33 including, without limitation, applied behavior analysis, that are
34 necessary to develop, maintain and restore, to the maximum extent
35 practicable, the functioning of a person.

36 (g) “Licensed assistant behavior analyst” means a person who
37 holds current certification or meets the standards to be certified as a
38 board certified assistant behavior analyst issued by the Behavior
39 Analyst Certification Board, Inc., or any successor in interest to that
40 organization, who is licensed as an assistant behavior analyst by the
41 Board of Psychological Examiners and who provides behavioral
42 therapy under the supervision of a licensed behavior analyst or
43 psychologist.

44 (h) “Licensed behavior analyst” means a person who holds
45 current certification or meets the standards to be certified as a board



1 certified behavior analyst or a board certified assistant behavior
2 analyst issued by the Behavior Analyst Certification Board, Inc., or
3 any successor in interest to that organization and who is licensed as
4 a behavior analyst by the Board of Psychological Examiners.

5 (i) "Prescription care" means medications prescribed by a
6 licensed physician and any health-related services deemed medically
7 necessary to determine the need or effectiveness of the medications.

8 (j) "Psychiatric care" means direct or consultative services
9 provided by a psychiatrist licensed in the state in which the
10 psychiatrist practices.

11 (k) "Psychological care" means direct or consultative services
12 provided by a psychologist licensed in the state in which the
13 psychologist practices.

14 (l) "Screening for autism spectrum disorders" means medically
15 necessary assessments, evaluations or tests to screen and diagnose
16 whether a person has an autism spectrum disorder.

17 (m) "Therapeutic care" means services provided by licensed or
18 certified speech pathologists, occupational therapists and physical
19 therapists.

20 (n) "Treatment plan" means a plan to treat an autism spectrum
21 disorder that is prescribed by a licensed physician or licensed
22 psychologist and may be developed pursuant to a comprehensive
23 evaluation in coordination with a licensed behavior analyst.

24 **Sec. 21.** NRS 695C.1717 is hereby amended to read as
25 follows:

26 695C.1717 1. A health care plan issued by a health
27 maintenance organization must provide coverage for screening for
28 and diagnosis of autism spectrum disorders and for treatment of
29 autism spectrum disorders to persons covered by the health care
30 plan under the age of 18 years or, if enrolled in high school, until the
31 person reaches the age of 22 years.

32 2. Coverage provided under this section is subject to
33 copayment, deductible and coinsurance provisions and any other
34 general exclusion or limitation of a health care plan to the same
35 extent as other medical services or prescription drugs covered by the
36 plan.

37 3. A health care plan issued by a health maintenance
38 organization that provides coverage for outpatient care shall not:

39 (a) Require an enrollee to pay a higher deductible, copayment or
40 coinsurance or require a longer waiting period for coverage for
41 outpatient care related to autism spectrum disorders than is required
42 for other outpatient care covered by the plan; or

43 (b) Refuse to issue a health care plan or cancel a health care plan
44 solely because the person applying for or covered by the plan uses
45 or may use in the future any of the services listed in subsection 1.



1 4. Except as otherwise provided in subsections 1 and 2, a
2 health maintenance organization shall not limit the number of visits
3 an enrollee may make to any person, entity or group for treatment of
4 autism spectrum disorders.

5 5. Treatment of autism spectrum disorders must be identified in
6 a treatment plan and may include medically necessary habilitative or
7 rehabilitative care, prescription care, psychiatric care, psychological
8 care, behavioral therapy or therapeutic care that is:

9 (a) Prescribed for a person diagnosed with an autism spectrum
10 disorder by a licensed physician or licensed psychologist; and

11 (b) Provided for a person diagnosed with an autism spectrum
12 disorder by a licensed physician, licensed psychologist, licensed
13 behavior analyst or other provider that is supervised by the licensed
14 physician, psychologist or behavior analyst.

15 ➔ A health maintenance organization may request a copy of and
16 review a treatment plan created pursuant to this subsection.

17 6. Evidence of coverage subject to the provisions of this
18 chapter that is delivered, issued for delivery or renewed on or after
19 January 1, 2011, has the legal effect of including the coverage
20 required by subsection 1, and any provision of the evidence of
21 coverage or the renewal which is in conflict with subsection 1 or 2 is
22 void.

23 7. Nothing in this section shall be construed as requiring a
24 health maintenance organization to provide reimbursement to an
25 early intervention agency or school for services delivered through
26 early intervention or school services.

27 8. As used in this section:

28 (a) "Applied behavior analysis" means the design,
29 implementation and evaluation of environmental modifications
30 using behavioral stimuli and consequences to produce socially
31 significant improvement in human behavior, including, without
32 limitation, the use of direct observation, measurement and
33 functional analysis of the relations between environment and
34 behavior.

35 (b) ~~"Autism behavior interventionist" means a person who~~
36 ~~provides behavioral therapy under the supervision of:~~

37 ~~— (1) A licensed psychologist;~~

38 ~~— (2) A licensed behavior analyst; or~~

39 ~~— (3) A licensed assistant behavior analyst.~~

40 ~~(c)~~ "Autism spectrum disorders" means a neurobiological
41 medical condition including, without limitation, autistic disorder,
42 Asperger's Disorder and Pervasive Developmental Disorder Not
43 Otherwise Specified.

44 ~~(d)~~ (c) "Behavioral therapy" means any interactive therapy
45 derived from evidence-based research, including, without limitation,



1 discrete trial training, early intensive behavioral intervention,
2 intensive intervention programs, pivotal response training and
3 verbal behavior provided by a licensed psychologist, licensed
4 behavior analyst, licensed assistant behavior analyst or *certified*
5 autism behavior interventionist.

6 *(d) “Certified autism behavior interventionist” means a person*
7 *who is certified as an autism behavior interventionist by the Board*
8 *of Psychological Examiners and who provides behavioral therapy*
9 *under the supervision of:*

10 *(1) A licensed psychologist;*

11 *(2) A licensed behavior analyst; or*

12 *(3) A licensed assistant behavior analyst.*

13 (e) “Evidence-based research” means research that applies
14 rigorous, systematic and objective procedures to obtain valid
15 knowledge relevant to autism spectrum disorders.

16 (f) “Habilitative or rehabilitative care” means counseling,
17 guidance and professional services and treatment programs,
18 including, without limitation, applied behavior analysis, that are
19 necessary to develop, maintain and restore, to the maximum extent
20 practicable, the functioning of a person.

21 (g) “Licensed assistant behavior analyst” means a person who
22 holds current certification or meets the standards to be certified as a
23 board certified assistant behavior analyst issued by the Behavior
24 Analyst Certification Board, Inc., or any successor in interest to that
25 organization, who is licensed as an assistant behavior analyst by the
26 Board of Psychological Examiners and who provides behavioral
27 therapy under the supervision of a licensed behavior analyst or
28 psychologist.

29 (h) “Licensed behavior analyst” means a person who holds
30 current certification or meets the standards to be certified as a board
31 certified behavior analyst or a board certified assistant behavior
32 analyst issued by the Behavior Analyst Certification Board, Inc., or
33 any successor in interest to that organization and who is licensed as
34 a behavior analyst by the Board of Psychological Examiners.

35 (i) “Prescription care” means medications prescribed by a
36 licensed physician and any health-related services deemed medically
37 necessary to determine the need or effectiveness of the medications.

38 (j) “Psychiatric care” means direct or consultative services
39 provided by a psychiatrist licensed in the state in which the
40 psychiatrist practices.

41 (k) “Psychological care” means direct or consultative services
42 provided by a psychologist licensed in the state in which the
43 psychologist practices.



1 (l) "Screening for autism spectrum disorders" means medically
2 necessary assessments, evaluations or tests to screen and diagnose
3 whether a person has an autism spectrum disorder.

4 (m) "Therapeutic care" means services provided by licensed or
5 certified speech pathologists, occupational therapists and physical
6 therapists.

7 (n) "Treatment plan" means a plan to treat an autism spectrum
8 disorder that is prescribed by a licensed physician or licensed
9 psychologist and may be developed pursuant to a comprehensive
10 evaluation in coordination with a licensed behavior analyst.

11 **Sec. 22.** NRS 695G.1645 is hereby amended to read as
12 follows:

13 695G.1645 1. A health care plan issued by a managed care
14 organization for group coverage must provide coverage for
15 screening for and diagnosis of autism spectrum disorders and for
16 treatment of autism spectrum disorders to persons covered by the
17 health care plan under the age of 18 *years* or, if enrolled in high
18 school, until the person reaches the age of 22 ~~½~~ *years*.

19 2. A health care plan issued by a managed care organization
20 for individual coverage must provide an option for coverage for
21 screening for and diagnosis of autism spectrum disorders and for
22 treatment of autism spectrum disorders to persons covered by the
23 health care plan under the age of 18 *years* or, if enrolled in high
24 school, until the person reaches the age of 22 ~~½~~ *years*.

25 3. Coverage provided under this section is subject to ~~½~~
26 ~~—(a) A maximum benefit of \$36,000 per year for applied behavior~~
27 ~~analysis treatment; and~~
28 ~~—(b) Copayment.]~~ *copayment*, deductible and coinsurance
29 provisions and any other general exclusion or limitation of a health
30 care plan to the same extent as other medical services or prescription
31 drugs covered by the plan.

32 4. A managed care organization that offers or issues a health
33 care plan which provides coverage for outpatient care shall not:

34 (a) Require an insured to pay a higher deductible, copayment or
35 coinsurance or require a longer waiting period for coverage for
36 outpatient care related to autism spectrum disorders than is required
37 for other outpatient care covered by the plan; or

38 (b) Refuse to issue a health care plan or cancel a health care plan
39 solely because the person applying for or covered by the plan uses
40 or may use in the future any of the services listed in subsection 1.

41 5. Except as *otherwise* provided in subsections 1, 2 and 3, a
42 managed care organization shall not limit the number of visits an
43 insured may make to any person, entity or group for treatment of
44 autism spectrum disorders.



1 6. Treatment of autism spectrum disorders must be identified in
2 a treatment plan and may include medically necessary habilitative or
3 rehabilitative care, prescription care, psychiatric care, psychological
4 care, ~~[behavior]~~ **behavioral** therapy or therapeutic care that is:

5 (a) Prescribed for a person diagnosed with an autism spectrum
6 disorder by a licensed physician or licensed psychologist; and

7 (b) Provided for a person diagnosed with an autism spectrum
8 disorder by a licensed physician, licensed psychologist, licensed
9 behavior analyst or other provider that is supervised by the licensed
10 physician, psychologist or behavior analyst.

11 ↪ A managed care organization may request a copy of and review a
12 treatment plan created pursuant to this subsection.

13 7. An evidence of coverage subject to the provisions of this
14 chapter that is delivered, issued for delivery or renewed on or after
15 January 1, 2011, has the legal effect of including the coverage
16 required by subsection 1, and any provision of the evidence of
17 coverage or the renewal which is in conflict with subsection 1 or 3 is
18 void.

19 8. Nothing in this section shall be construed as requiring a
20 managed care organization to provide reimbursement to an early
21 intervention agency or school for services delivered through early
22 intervention or school services.

23 9. As used in this section:

24 (a) "Applied behavior analysis" means the design,
25 implementation and evaluation of environmental modifications
26 using behavioral stimuli and consequences to produce socially
27 significant improvement in human behavior, including, without
28 limitation, the use of direct observation, measurement and
29 functional analysis of the relations between environment and
30 behavior.

31 (b) "**Autism behavior interventionist**" means a person who
32 **provides behavioral therapy under the supervision of:**

33 (1) **A licensed psychologist;**

34 (2) **A licensed behavior analyst; or**

35 (3) **A licensed assistant behavior analyst.**

36 (c) "Autism spectrum disorders" means a neurobiological
37 medical condition including, without limitation, autistic disorder,
38 Asperger's Disorder and Pervasive Developmental Disorder Not
39 Otherwise Specified.

40 ~~[(e)]~~ (d) "Behavioral therapy" means any interactive therapy
41 derived from evidence-based research, including, without limitation,
42 discrete trial training, early intensive behavioral intervention,
43 intensive intervention programs, pivotal response training and
44 verbal behavior provided by a licensed psychologist, licensed



1 behavior analyst, licensed assistant behavior analyst or ~~[certified]~~
2 autism behavior interventionist.

3 ~~[(d) “Certified autism behavior interventionist” means a person
4 who is certified as an autism behavior interventionist by the Board
5 of Psychological Examiners and who provides behavior therapy
6 under the supervision of:~~

7 ~~— (1) A licensed psychologist;~~

8 ~~— (2) A licensed behavior analyst; or~~

9 ~~— (3) A licensed assistant behavior analyst.]~~

10 (e) “Evidence-based research” means research that applies
11 rigorous, systematic and objective procedures to obtain valid
12 knowledge relevant to autism spectrum disorders.

13 (f) “Habilitative or rehabilitative care” means counseling,
14 guidance and professional services and treatment programs,
15 including, without limitation, applied behavior analysis, that are
16 necessary to develop, maintain and restore, to the maximum extent
17 practicable, the functioning of a person.

18 (g) “Licensed assistant behavior analyst” means a person who
19 holds current certification or meets the standards to be certified as a
20 board certified assistant behavior analyst issued by the Behavior
21 Analyst Certification Board, Inc., or any successor in interest to that
22 organization, who is licensed as an assistant behavior analyst by the
23 Board of Psychological Examiners and who provides behavioral
24 therapy under the supervision of a licensed behavior analyst or
25 psychologist.

26 (h) “Licensed behavior analyst” means a person who holds
27 current certification or meets the standards to be certified as a board
28 certified behavior analyst or a board certified assistant behavior
29 analyst issued by the Behavior Analyst Certification Board, Inc., or
30 any successor in interest to that organization and who is licensed as
31 a behavior analyst by the Board of Psychological Examiners.

32 (i) “Prescription care” means medications prescribed by a
33 licensed physician and any health-related services deemed medically
34 necessary to determine the need or effectiveness of the medications.

35 (j) “Psychiatric care” means direct or consultative services
36 provided by a psychiatrist licensed in the state in which the
37 psychiatrist practices.

38 (k) “Psychological care” means direct or consultative services
39 provided by a psychologist licensed in the state in which the
40 psychologist practices.

41 (l) “Screening for autism spectrum disorders” means medically
42 necessary assessments, evaluations or tests to screen and diagnose
43 whether a person has an autism spectrum disorder.



1 (m) "Therapeutic care" means services provided by licensed or
2 certified speech pathologists, occupational therapists and physical
3 therapists.

4 (n) "Treatment plan" means a plan to treat an autism spectrum
5 disorder that is prescribed by a licensed physician or licensed
6 psychologist and may be developed pursuant to a comprehensive
7 evaluation in coordination with a licensed behavior analyst.

8 **Sec. 23.** NRS 695G.1645 is hereby amended to read as
9 follows:

10 695G.1645 1. A health care plan issued by a managed care
11 organization for group coverage must provide coverage for
12 screening for and diagnosis of autism spectrum disorders and for
13 treatment of autism spectrum disorders to persons covered by the
14 health care plan under the age of 18 years or, if enrolled in high
15 school, until the person reaches the age of 22 years.

16 2. A health care plan issued by a managed care organization
17 for individual coverage must provide an option for coverage for
18 screening for and diagnosis of autism spectrum disorders and for
19 treatment of autism spectrum disorders to persons covered by the
20 health care plan under the age of 18 years or, if enrolled in high
21 school, until the person reaches the age of 22 years.

22 3. Coverage provided under this section is subject to
23 copayment, deductible and coinsurance provisions and any other
24 general exclusion or limitation of a health care plan to the same
25 extent as other medical services or prescription drugs covered by the
26 plan.

27 4. A managed care organization that offers or issues a health
28 care plan which provides coverage for outpatient care shall not:

29 (a) Require an insured to pay a higher deductible, copayment or
30 coinsurance or require a longer waiting period for coverage for
31 outpatient care related to autism spectrum disorders than is required
32 for other outpatient care covered by the plan; or

33 (b) Refuse to issue a health care plan or cancel a health care plan
34 solely because the person applying for or covered by the plan uses
35 or may use in the future any of the services listed in subsection 1.

36 5. Except as otherwise provided in subsections 1, 2 and 3, a
37 managed care organization shall not limit the number of visits an
38 insured may make to any person, entity or group for treatment of
39 autism spectrum disorders.

40 6. Treatment of autism spectrum disorders must be identified in
41 a treatment plan and may include medically necessary habilitative or
42 rehabilitative care, prescription care, psychiatric care, psychological
43 care, behavioral therapy or therapeutic care that is:

44 (a) Prescribed for a person diagnosed with an autism spectrum
45 disorder by a licensed physician or licensed psychologist; and



(b) Provided for a person diagnosed with an autism spectrum disorder by a licensed physician, licensed psychologist, licensed behavior analyst or other provider that is supervised by the licensed physician, psychologist or behavior analyst.

↳ A managed care organization may request a copy of and review a treatment plan created pursuant to this subsection.

7. An evidence of coverage subject to the provisions of this chapter that is delivered, issued for delivery or renewed on or after January 1, 2011, has the legal effect of including the coverage required by subsection 1, and any provision of the evidence of coverage or the renewal which is in conflict with subsection 1 or 3 is void.

8. Nothing in this section shall be construed as requiring a managed care organization to provide reimbursement to an early intervention agency or school for services delivered through early intervention or school services.

9. As used in this section:

(a) "Applied behavior analysis" means the design, implementation and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including, without limitation, the use of direct observation, measurement and functional analysis of the relations between environment and behavior.

~~(b) "Autism behavior interventionist" means a person who provides behavioral therapy under the supervision of:~~

- ~~— (1) A licensed psychologist;~~
- ~~— (2) A licensed behavior analyst; or~~
- ~~— (3) A licensed assistant behavior analyst.~~

~~(c)~~ "Autism spectrum disorders" means a neurobiological medical condition including, without limitation, autistic disorder, Asperger's Disorder and Pervasive Developmental Disorder Not Otherwise Specified.

~~(d)~~ (c) "Behavioral therapy" means any interactive therapy derived from evidence-based research, including, without limitation, discrete trial training, early intensive behavioral intervention, intensive intervention programs, pivotal response training and verbal behavior provided by a licensed psychologist, licensed behavior analyst, licensed assistant behavior analyst or *certified* autism behavior interventionist.

(d) "Certified autism behavior interventionist" means a person who is certified as an autism behavior interventionist by the Board of Psychological Examiners and who provides behavioral therapy under the supervision of:

- (1) A licensed psychologist;*



1 (2) *A licensed behavior analyst; or*

2 (3) *A licensed assistant behavior analyst.*

3 (e) “Evidence-based research” means research that applies
4 rigorous, systematic and objective procedures to obtain valid
5 knowledge relevant to autism spectrum disorders.

6 (f) “Habilitative or rehabilitative care” means counseling,
7 guidance and professional services and treatment programs,
8 including, without limitation, applied behavior analysis, that are
9 necessary to develop, maintain and restore, to the maximum extent
10 practicable, the functioning of a person.

11 (g) “Licensed assistant behavior analyst” means a person who
12 holds current certification or meets the standards to be certified as a
13 board certified assistant behavior analyst issued by the Behavior
14 Analyst Certification Board, Inc., or any successor in interest to that
15 organization, who is licensed as an assistant behavior analyst by the
16 Board of Psychological Examiners and who provides behavioral
17 therapy under the supervision of a licensed behavior analyst or
18 psychologist.

19 (h) “Licensed behavior analyst” means a person who holds
20 current certification or meets the standards to be certified as a board
21 certified behavior analyst or a board certified assistant behavior
22 analyst issued by the Behavior Analyst Certification Board, Inc., or
23 any successor in interest to that organization and who is licensed as
24 a behavior analyst by the Board of Psychological Examiners.

25 (i) “Prescription care” means medications prescribed by a
26 licensed physician and any health-related services deemed medically
27 necessary to determine the need or effectiveness of the medications.

28 (j) “Psychiatric care” means direct or consultative services
29 provided by a psychiatrist licensed in the state in which the
30 psychiatrist practices.

31 (k) “Psychological care” means direct or consultative services
32 provided by a psychologist licensed in the state in which the
33 psychologist practices.

34 (l) “Screening for autism spectrum disorders” means medically
35 necessary assessments, evaluations or tests to screen and diagnose
36 whether a person has an autism spectrum disorder.

37 (m) “Therapeutic care” means services provided by licensed or
38 certified speech pathologists, occupational therapists and physical
39 therapists.

40 (n) “Treatment plan” means a plan to treat an autism spectrum
41 disorder that is prescribed by a licensed physician or licensed
42 psychologist and may be developed pursuant to a comprehensive
43 evaluation in coordination with a licensed behavior analyst.

44 **Sec. 24.** 1. Any regulations adopted by the Board of
45 Psychological Examiners before October 1, 2015, pursuant to



1 NRS 641.100 or 641.232 are unenforceable with respect to an
2 autism behavior interventionist as of that date, until July 1, 2017,
3 except that if, on or before that date, legislation is enacted to provide
4 for certification of an autism behavior interventionist as a Registered
5 Behavior Technician or an equivalent certification by the Behavior
6 Analyst Certification Board, Inc., or its successor organization, the
7 regulations will be void with respect to an autism behavior
8 interventionist.

9 2. If, on or before July 1, 2017, the legislation described in
10 subsection 2 is enacted, the Legislative Counsel shall, as soon as
11 practicable after that date:

12 (a) Remove all of the regulations described in subsection 1 that
13 solely apply to autism behavior interventionists; and

14 (b) Remove references to an autism behavior interventionist
15 from all other regulations described in subsection 1.

16 **Sec. 25.** NRS 641.172 is hereby repealed.

17 **Sec. 26.** 1. This section and sections 1 to 12, inclusive, 14,
18 16, 18, 20, 22, 24 and 25 of this act become effective on October 1,
19 2015.

20 2. Sections 1 to 11, inclusive, 24 and 25 of this act expire by
21 limitation on June 30, 2017, unless, on or before that date,
22 legislation is enacted and approved to provide for certification of an
23 autism behavior interventionist as a Registered Behavior Technician
24 or an equivalent certification by the Behavior Analyst Certification
25 Board, Inc., or its successor organization.

26 3. Sections 13, 15, 17, 19, 21 and 23 of this act become
27 effective on January 1, 2018, unless, on or before June 30, 2017,
28 legislation is enacted and approved to provide for certification of an
29 autism behavior interventionist as a Registered Behavior Technician
30 or an equivalent certification by the Behavior Analyst Certification
31 Board, Inc., or its successor organization.

TEXT OF REPEALED SECTION

**641.172 Qualifications of applicant for certification as
autism behavior interventionist; Board to evaluate application
and issue statement of determination; contents of statement.**

1. Each application for certification as an autism behavior
interventionist must be accompanied by evidence satisfactory to the
Board that the applicant:

(a) Is at least 18 years of age.

(b) Is of good moral character as determined by the Board.



(c) Is a citizen of the United States, or is lawfully entitled to remain and work in the United States.

(d) Has completed satisfactorily a written examination in Nevada law and ethical practice as administered by the Board.

(e) Has completed satisfactorily a standardized practical examination developed and approved by the Board. The examination must be conducted by the applicant's supervisor, who shall make a videotape or other audio and visual recording of the applicant's performance of the examination for submission to the Board. The Board may review the recording as part of its evaluation of the applicant's qualifications.

2. Within 120 days after receiving an application and the accompanying evidence from an applicant, the Board shall:

(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for certification as an autism behavior interventionist; and

(b) Issue a written statement to the applicant of its determination.

3. If the Board determines that the qualifications of the applicant are insufficient for certification, the written statement issued to the applicant pursuant to subsection 2 must include a detailed explanation of the reasons for that determination.

