



BlueCross BlueShield of Texas

BLUE CROSS AND BLUE SHIELD OF TEXAS (BCBSTX) CORPORATE POLICIES SUPPORTING ADMINISTRATION OF 2007 TEXAS HOUSE BILL 1919—ACQUIRED BRAIN INJURY – AUTISM SPECTRUM DISORDER

The statements made herein are intended to provide a high-level understanding of Texas House Bill 1919 legislation and the impact to the corporate policies and procedures of Blue Cross and Blue Shield of Texas (BCBSTX)*.

The Texas Department of Insurance has not released final rules regarding the Texas House Bill 1919 requirements. BCBSTX is in the process of evaluating and adjusting policies and procedures to comply with our current understanding of the legislation requirements.

ACQUIRED BRAIN INJURY (ABI)

Coverage for Treatment of Acquired Brain Injury

Current BCBSTX benefits for treatment of ABI are consistent with the mandated requirements. For administrative efficiency, BCBSTX will congruently administer and describe benefits for the treatment of ABI for all fully insured Employer Groups, regardless of group size.

Mandated Annual Notification

Annual Notification language has been filed with the Texas Department of Insurance and will be provided to BCBSTX Employer Groups with their contract materials.

AUTISM SPECTRUM DISORDER (ASD)

The law defines ASD as a neurological disorder that includes autism, Asperger's syndrome and pervasive development disorder (PDD), not otherwise specified. It prohibits health benefit plans from excluding coverage or denying benefits, on the basis of ASD diagnoses, for treatment, equipment, or therapies that would otherwise be available to covered Members.

Mandated Coverage

The law mandates coverage of autism benefits for covered Members between the ages of two and six who are diagnosed with ASD. Health plans must provide coverage for such enrollees for all *generally recognized services* prescribed in relation to ASD by the Members' Primary Medical Care Providers.

BCBSTX will comply with the mandate by providing coverage for all *generally recognized services* prescribed in relation to ASD by the Primary Medical Care Providers of covered Members between the ages of birth and six years.

Coverage will be subject to annual deductibles, copayments and coinsurance consistent with the annual deductibles, copayments and coinsurance that apply to other benefits under the plan.

Coverage for *generally recognized services* prescribed in relation to ASD will **not** be subject to any maximums for covered Members between the ages of birth and six years.

Please Note: TDI has not yet released final rules. *Generally recognized services* are therefore currently undefined. BCBSTX will comply with our current understanding of the mandate by recognizing services prescribed in relation to ASD by healthcare practitioners who are licensed, certified or registered by an appropriate US or Texas agency.

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Amended Serious Mental Illness (SMI) Definition

The law amends the definition of Serious Mental Illness in the Texas Insurance Code to remove Pervasive Developmental Disorders (PDD) from the list of conditions that fall under SMI, therefore treatment of certain PDD diagnoses are now covered under the ASD mandate.

BCBSTX has filed, and The Texas Department of Insurance has approved, a new Serious Mental Illness definition which will support the mandated definition, and which will apply to all fully insured accounts.

BCBSTX will maintain the existing SMI definition, which includes PDD. It will apply to self funded accounts that decline the mandate as well as to those insured accounts for whom the mandate has not yet gone into effect. For example, an insured account with an Anniversary Date of 07/01 will not be affected by the mandate until 07/01/08.

IMPORTANT: All **new ASO accounts** must select one of the SMI definitions for their Group Health Plans. BCBSTX will continue to administer the current SMI definition for **existing ASO accounts** unless the mandate-compatible SMI definition is requested at renewal.

Payment of Autism Claims Outside of the Benefit Mandate

The ASD mandate does not apply to covered Members over the age of six, or to covered Members enrolled in self-funded (ASO) plans. **Please Note:** ASO accounts may, however, elect benefits to mirror the mandated benefits.

For covered Members to whom the mandate does not apply, benefits will be determined on the same basis as any other physical or mental health condition. All appropriate maximums will apply.

Mandate-Compatible Autism Benefits for Self-Funded Accounts

Administrative Service Only (ASO) accounts may elect to mirror state mandated autism benefits. To mirror mandate-compatible autism benefits, new accounts must specifically request the benefits and complete the appropriate new sold group paperwork at enrollment. Existing accounts may convert their current autism benefits at renewal by submitting benefit amendment requests.

For additional information, please contact your BCBSTX Marketing Representative.