

CHAPTER 211

INSURANCE

SENATE BILL 93-113

BY SENATORS Mares, Casey, Cassidy, Gallagher, Groff, Johnson, Martinez, Mendez, Peterson, L. Powers, Ruddick, Trujillo, Weissmann, and Wham;
also REPRESENTATIVES Prinster, DeGette, Keller, Knox, Lawrence, Rupert, and Wright.

AN ACT**CONCERNING THE COVERAGE FOR DISORDERS RELATED TO AUTISM IN HEALTH CARE COVERAGE POLICIES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. The general assembly recognizes that autism is a medical and not a mental condition and that treating it as a mental condition is detrimental to the health, safety, and general welfare of the citizens of the state of Colorado.

SECTION 2. 10-16-104 (5), Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

10-16-104. Mandatory coverage provisions. (5) **Mental illness.** (h) FOR PURPOSES OF THIS SUBSECTION (5), "MENTAL ILLNESS" DOES NOT INCLUDE AUTISM. AUTISM SHALL BE GOVERNED BY THE PROVISIONS OF SECTION 10-16-104.5.

SECTION 3. Part 1 of article 16 of title 10, Colorado Revised Statutes, 1987 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

10-16-104.5. Autism - treatment - not mental illness. (1) ANY SICKNESS AND ACCIDENT INSURANCE POLICY PROVIDING INDEMNITY FOR DISABILITY DUE TO SICKNESS ISSUED BY AN ENTITY SUBJECT TO THE PROVISIONS OF PART 2 OF THIS ARTICLE AND ANY INDIVIDUAL OR GROUP SERVICE OR INDEMNITY CONTRACTS ISSUED BY AN ENTITY SUBJECT TO THE PROVISIONS OF PART 3 OR 4 OF THIS ARTICLE WHICH PROVIDES COVERAGE FOR AUTISM SHALL PROVIDE SUCH COVERAGE IN THE SAME

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

MANNER AS FOR ANY OTHER ACCIDENT OR SICKNESS, OTHER THAN MENTAL ILLNESS, OTHERWISE COVERED UNDER SUCH POLICY.

(2) NOTHING IN THIS SECTION SHALL MANDATE OR BE CONSTRUED OR INTERPRETED TO MANDATE THAT ANY POLICY, HOSPITAL SERVICE OR INDEMNITY CONTRACT, OR EVIDENCE OF COVERAGE MUST PROVIDE COVERAGE FOR AUTISM.

SECTION 4. Applicability. This act shall apply to all policies or hospital service or indemnity contracts issued or renewed pursuant to parts 2, 3, or 4 of article 16 of title 10, Colorado Revised Statutes, on or after January 1, 1994.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 28, 1993