

FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2962  
Page 2 Section 1 Lines 13  
Of the printed Bill  
Of the Engrossed Bill

By deleting the word "plan" and inserting the word "Plan" in lieu thereof;  
and

On Page 3, Line 1, after the letter "B.", by deleting the word "Coverage"  
and inserting in lieu thereof the words "Except as provided in subsection  
E of this section, coverage"; and

On Page 3, Line 24, by inserting after the first "to" and before the word  
"health" the words, "the Oklahoma Employees Health Insurance Plan and";  
and

On Page 6, Line 1, by deleting the word "supervised"; and

On Page 7, Section 2, Line 14, by inserting before the word "The", the new  
subsection letter "A."; and

On Page 7, Lines 14 through 15 by deleting the words "apply for any  
necessary waiver to"; and

On Page 7, Line 15 by deleting the words "to individuals"; and

On Page 7, Line 16, by inserting, after the word "disorder" and before the  
period, the following:

"for members less than nine (9) years of age, or if an member is not  
diagnosed or treated until after three (3) years of age, benefits shall be

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Glen Mulready

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

provided for at least six (6) years, provided that the individual continually and consistently shows sufficient progress and improvement as determined by the health care provider.

B. Except as provided in subsection C of this section, coverage for benefits under this section shall not be subject to any limits on the number of visits a member may make for treatment of autism spectrum disorder.

C. Coverage for applied behavior analysis shall be subject to a maximum benefit of twenty-five (25) hours per week and no more than Twenty-five Thousand Dollars (\$25,000.00) per year. Beginning January 1, 2018, the Oklahoma Health Care Authority shall, on an annual basis, adjust the maximum benefit for inflation by using the Medical Care Component of the United States Department of Labor Consumer Price Index for All Urban Consumers (CPI-U). The Oklahoma Health Care Authority shall submit the adjusted maximum benefit for publication annually before January 1, 2018, and before the first day of January of each calendar year thereafter, and the published adjusted maximum benefit shall be applicable in the following calendar year to coverage subject to this section. Payments made by the Oklahoma Health Care Authority on behalf of a member for treatment other than applied behavior analysis shall not be applied toward any maximum benefit established under this section.

D. Coverage for applied behavior analysis shall include the services of the board-certified behavior analyst or a licensed doctoral-level psychologist.

E. Except for inpatient services, if a member is receiving treatment for an autism spectrum disorder, the Oklahoma Health Care Authority shall

have the right to review the treatment plan annually, unless the Oklahoma Health Care Authority and the member's treating physician or psychologist agree that a more frequent review is necessary. Any such agreement regarding the right to review a treatment plan more frequently shall apply only to a particular member being treated for an autism spectrum disorder and shall not apply to all members being treated for autism spectrum disorder by a physician or psychologist. The cost of obtaining any review or treatment plan shall be borne by the Oklahoma Health Care Authority.

F. As used in this section:

1. "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 the use of direct observation, measurement and functional analysis of the relationship between environment and behavior;

2. "Autism spectrum disorder" means any of the pervasive developmental disorders or autism spectrum disorders as defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) or the edition that was in effect at the time of diagnosis;

3. "Behavioral health treatment" means counseling and treatment programs, including applied behavior analysis, that are:

- a. necessary to develop, maintain or restore, to the maximum extent practicable, the functioning of an individual, and
- b. provided by a board-certified behavior analyst or by a licensed doctoral-level psychologist so long as the services

performed are commensurate with the psychologist's university training and supervised experience;

4. "Diagnosis of autism spectrum disorder" means medically necessary assessment, evaluations or tests to diagnose whether an individual has an autism spectrum disorder;

5. "Member" means an eligible person who enrolls in the Oklahoma Medicaid Healthcare Options System;

6. "Pharmacy care" means medications prescribed by a licensed physician and any health-related services deemed medically necessary to determine the need or effectiveness of the medications;

7. "Psychiatric care" means direct or consultative services provided by a psychiatrist licensed in the state in which the psychiatrist practices;

8. "Psychological care" means direct or consultative services provided by a psychologist licensed in the state in which the psychologist practices;

9. "Therapeutic care" means services provided by licensed or certified speech therapists, occupational therapists or physical therapists; and

10. "Treatment for autism spectrum disorder" means evidence-based care and related equipment prescribed or ordered for an individual diagnosed with an autism spectrum disorder by a licensed physician or a licensed doctoral-level psychologist who determines the care to be medically necessary, including, but not limited to:

- a. behavioral health treatment,
- b. pharmacy care,

- c. psychiatric care,
- d. psychological care, and
- e. therapeutic care"