



From: **AUTISM SPEAKS**

Michael Wasmer
Autism Speaks Kansas Chapter Advocacy Chair
913-626-0668

FOR IMMEDIATE RELEASE

**Autism Speaks Joins Kansas Families to Answer Legislator
Questions Raised About Kate's Law**

**Kate's Law is Necessary to Change Insurance Law and End Healthcare
Discrimination Against Children with Autism**

NEW YORK, NY (February 20, 2009) -- Autism Speaks, the nation's largest autism advocacy organization, today joined Kansas autism organizations and families in calling for the Kansas State Senate to pass insurance reform legislation (Senate Bill 12), known as "Kate's Law." Kate's Law, would require private health insurance companies to provide coverage of up to \$75,000 for the diagnosis and treatment of autism spectrum disorders, including Applied Behavior Analysis (ABA) therapy.

Kate's Law recently had its first hearing in the Senate Financial Institutions & Insurance Committee, Chaired by Senator Ruth Teichman. Chairwoman Teichman, members of the Committee, and other Senators have raised several questions that focus on three main issues: 1) The medical necessity of the autism treatment covered under Kate's Law; 2) The effect of Kate's Law on insurance premiums; And 3) The current coverage for autism under the Kansas Mental Health Parity Act.

Autism is a medical condition. It is diagnosed by a medical doctor, not a school principal. Kate's Law will give Kansas families access to the medically-necessary, evidence-based autism treatments that their children need. Speech therapy, occupational therapy, and ABA therapy are all treatments that are prescribed by licensed physicians or licensed psychologists for the treatment of autism. The obligation of the educational system is not to treat a disorder, but to accommodate the child with a disorder and facilitate their ability to learn in an educational environment. The Department of Defense's Tri-Care health insurance plan for military dependents is specifically prohibited by federal law from covering "unproven care or special education." Tri-Care provides coverage of the autism treatments cited in Kate's Law as part of its Extended Care Health Option, because these treatments are medically-necessary.

The insurance companies are touting 2.5 percent increases in premiums, however they have failed to present a basis for these numbers. A recently released independent cost analysis of Kate's Law, put together by the actuarial firm Oliver Wyman, estimated a premium increase much lower than the insurance company quote - as small as 0.70 percent and no larger than 1.07 percent, depending on the market receiving coverage.

Kate's Law fills the enormous gaps in care for autism that are left by the Kansas Mental Health Parity Act. The Mental Health Parity Act does not cover the treatment that is most effective and most commonly-prescribed, for autism – ABA therapy. Despite passage of the Mental Health Parity Act, despite 40 years of proven effectiveness in the treatment of autism, and despite being recommended by the Surgeon General some insurers have specific written policy statements stating that ABA therapy will not be covered. Others simply exclude behavioral therapy or habilitative treatments altogether. In short, the Kansas Mental Health Parity Act did very little to help children with autism access the therapies they need to treat their disorder, which is neurobiological and not a mental health impairment. Kate's Law is needed, so that children with autism can access the therapies they need. Families affected by autism simply do not have the energy or money to fight this battle in the courts any longer.

“During these difficult economic times are we really going to allow the insurance companies, one of the more solvent industries right now, to get off scot-free?” asked Elizabeth Emken, Vice President of Government Relations for Autism Speaks. “It is time that the insurance industry paid its fair share for the medical treatments of its own customers. Autism Speaks joins Kansas’ autism community in calling on the Senate to pass Kate’s Law and join the growing number of states that have ended healthcare discrimination against children with autism.”

To date, eight states – Arizona, Florida, Louisiana, Illinois, Indiana, Pennsylvania, South Carolina and Texas -- have enacted autism insurance legislative reform that requires insurers to cover ABA therapies, which typically cost upward of \$50,000 a year – a cost well beyond the means of most families.

About Autism

Autism is a complex brain disorder that inhibits a person's ability to communicate and develop social relationships, and is often accompanied by behavioral challenges. Autism spectrum disorders are diagnosed in one in 150 children in the United States, affecting four times as many boys as girls. The prevalence of autism has increased tenfold in the last decade. The Centers for Disease Control and Prevention have called autism a national public health crisis whose cause and cure remain unknown.

About Autism Speaks

Autism Speaks is dedicated to increasing awareness of autism spectrum disorders, to funding research into the causes, prevention and treatments for autism, and to advocating for the needs of individuals with autism and their families. It was founded in February 2005 by Suzanne and Bob Wright, the grandparents of a child with autism. Bob Wright is Senior Advisor at Lee Equity Partners and served as vice chairman, General Electric, and chief executive officer of NBC and NBC Universal for more than twenty years. Autism Speaks merged with both the National Alliance for Autism Research (NAAR) and Cure Autism Now (CAN), bringing together the nation’s three leading autism advocacy organizations. To learn more about Autism Speaks, please visit www.autismspeaks.org

###