Health Insurance Mandated Autism Treatment (HIMAT) & Affordable Care Act (ACA)

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What we will cover

What are the basic components of HIMAT

What are the parts of ACA that directly impact HIMAT

What we will Not cover

Not all the answers are available yet

Timeline for implementation goes through 2018

State legislation is still in process

Caution

Comparison of HIMAT and the impact of ACA

HB13-1266 - Reengrossed

DOI Bulletin B-4.51 (released 4/10/13)

ACA Implementation Timeline

Handouts

900+ pages of ACA

The complexity of the ACA means that no one presentation will be able to cover all the possible contingencies

What we will Not cover

Comparison of HIMAT & ACA

› A lot of the requirements of 10-16-104 (1.4) C.R.S. are Not Referenced in ACA

› This means the requirements in state law do not change

› ACA prohibits annual and lifetime limits on the dollar value of benefits
Comparison of HIMAT & ACA

- What has to change:
  - HIMAT = $34,000 birth to age 8
  - HIMAT = $12,000 age 9–19

HB 13-1266 (not yet enacted)

- Conforms carrier network adequacy requirements to federal law
- Authorizes the insurance commissioner to adopt rules necessary to comply with requirements of federal law

HB 13-1266 (not yet enacted)

- Makes Colorado law consistent with Federal law
- Specific impact to HIMAT
- Amends 10-16-102, C.R.S. (definitions)
- Defines “Grandfathered Health Benefit Plans” issued before March 23, 2010
- For as long as it maintains that status in accordance with federal law

What Continues in 10-16-104 (1.4)

- Health Plans issued in Colorado
- Evaluation and assessment services
- Diagnosis
- Certification
- Behavior training and behavior management and applied behavior analysis (ABA)

HB 13-1266 (not yet enacted)

- Aligns Colorado law with federal law for internal and external independent review of adverse determinations of health insurance carriers with respect to denial of benefits
- Prohibits carriers offering individual or small employer health benefit plans from imposing any preexisting condition exclusion

What Continues in 1-16-104 (1.4)

- ABA not considered experimental or investigational
- Therapeutic care, including Occupational Therapy (OT), Speech Therapy (ST) and Physical Therapy (PT)
- Pharmacy care and medication
- Psychiatric care
What Continues in 1-16-104 (1.4)

- Psychological care, including family counseling
- Treatment plan
- Impact on IEP and IFSP

ACA Implementation Timelines that Impact HIMAT

- March 23, 2012 - Data Collection to Reduce Health Care Disparities
- January 1, 2013 - Itemized Deductions for Medical Expenses increases to 10%
- January 1, 2013 - Flexible Spending Account Limits contributions $2,500 per year

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DOI Conversion

- $34,000 birth to age 8 = 550 sessions
- $12,000 age 9-19 = 185 sessions
- (25-minute session increments)

ACA Implementation Timelines that Impact HIMAT

- January 1, 2014
  - Individual Requirement to Have Insurance
  - Health Insurance Exchanges
  - Health Insurance Premium and Cost Sharing Subsidies
  - Guaranteed Availability of Insurance
  - No Annual Limits on Coverage
  - Essential Health Benefits
  - Basic Health Plan

ACA Implementation Timelines that Impact HIMAT

- 2010 – 2018
- September 23, 2010 - staggered implementation of prohibition on Pre-existing Conditions until January 1, 2014
- September 23, 2010 - external review process for denials
- September 23, 2012 - Uniform Coverage Summaries for Consumers

Questions and Possible Answers