

Alabama Senate passes autism insurance mandate



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The Alabama Senate has passed a bill to require many insurance plans to cover autism therapy.

The Senate passed the bill by a vote of 33-1. That sends it back to the House, which had passed it 100-0 earlier.

If the House accepts changes made by the Senate, it could send the bill to Gov. Kay Ivey.

Rep. Jim Patterson, R-Meridianville, the sponsor of the bill, said he will ask the House to accept the Senate changes. Patterson said he expects that to happen on Wednesday.

Key Senate changes include making the mandate apply only to companies with at least 51 employees, making the mandate apply only to services for patients up to age 18 and delaying the mandate on public insurance plans until Dec. 31, 2018.

Patterson said he was disappointed in the delay for those plans but said overall the bill was a "victory." He said the advocacy group Autism Speaks, which has lobbied for the bill, urged him to accept the Senate changes.

Parents and advocates say applied behavior analysis can be a life-changing therapy for children with autism. But it's expensive and can be out of reach for parents if not covered by insurance.

Sen. Cam Ward, R-Alabaster, said the insurance mandate would mean that more families would be able to receive the therapy, which benefited his daughter, Riley.

"It's going to be dramatic, particularly in early intervention services," Ward said. "These people whose kids are growing up age 3 through 7. My daughter, for example, who benefited greatly. People are going to be able to afford to do that now. And that's going to be a huge benefit for them."

Before passing the bill, the Senate approved an amendment by Sen. Trip Pittman, R-Montrose, to say that the mandate to cover therapy applied only to patients age 18 and younger.

Pittman, the Senate's General Fund budget chairman, said he was concerned about uncertainty over the cost of the mandate both for taxpayers and for employers.

Pittman later cast the only no vote against the bill. He said the state has obligations to provide services in mental health, human resources, public safety and corrections that it does not have enough money to sustain.

"And then we're passing a new mandate that's going to cost the state tens of millions of dollars," Pittman said. "To me, you're getting the cart before the horse. What we should do is go back and say, how are we going to pay for this before we do it."

Senate President Pro Tem Del Marsh had said last week he expected the bill **to be considered on Wednesday**.

But Marsh said today an agreement was reached on revisions to the bill and said he requested that it be the first bill on today's calendar.

"We knew the interest in this bill," Marsh said. "A lot of the public's been down here, a lot of our members very emotional about it. And I just thought, if we've got an agreement, which we have, let's go ahead and take care of this."

Ward said eight or nine senators negotiated to reach a compromise.

Ward said the key change in the agreement would delay application of the autism coverage mandate for public insurance plans. Those include the plans for state employees and education employees, the Children's Health Insurance Plan (ALL Kids) and Medicaid. The coverage mandate for those plans would take effect Dec. 31, 2018.

The bill would apply to private insurance plans covering at least 51 employees.

Parents and advocates have helped drive the autism bill through the legislative process, filling rooms at the State House for committee meetings and hearings.

Ward initially said today he would ask the Senate to delay a vote until Wednesday so advocates could be on hand for the vote. He said some had made arrangements to be at the State House on Wednesday because Marsh had said the Senate would consider it then.

Ward later decided to seek a vote on the bill tonight.

The Business Council of Alabama issued a news release expressing opposition to the bill.

"The Business Council of Alabama continues to remind lawmakers that mandates are not free. It is a tax on those with health insurance," BCA President and CEO William Canary said in the release.

The BCA noted that the Legislative Fiscal Office has not provided a cost estimate for the bill.

Patterson said it was good to see lawmakers advancing the bill considering the influential opposition.

"It passed because the people wanted it," Patterson said. "And for a change we did what the people wanted rather than the special interests wanted. That's powerful. The people had a victory today."

Updated at about 6 p.m. to say bill has passed the Senate. Updated at 7:58 to add comments from Rep. Jim Patterson.

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