

# Legislative Analysis

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## **AUTISM PACKAGE**

### **House Bills 5526-5527**

**Sponsor: Rep. Kathy Angerer**

### **House Bills 5528-5529**

**Sponsor: Rep. Richard Ball**

**Committee: Health Policy**

**Complete to 12-12-07**

## **A SUMMARY OF HOUSE BILLS 5526-5529 AS INTRODUCED 12-4-07**

The bills, as a package, would create a fund to support autism research, place a checkoff box on the state income tax form for filers to donate to the Autism Research Fund, and require health insurers to cover autism-related health treatments.

House Bill 5528 would create the Autism Research Fund Act. The Autism Research Fund would be created in the Department of Community Health. The fund's purpose would be to provide funds to promote research in the state relating to autism. The money, interest, and earnings of the fund could only be expended for the following:

- Promote autism-related research.
- Disseminate the research results on the triggers of autism and on methods of diagnosing and treating autism.
- Provide grants to Michigan hospitals specializing in the research, diagnosis, and treatment of autism.
- Provide grants to institutions of higher learning devoted to conducting autism research.
- Provide grants to other DCH-approved organizations for autism research.

The state treasurer would credit to the fund all amounts appropriated under the checkoff added to the state income tax form by House Bill 5526, as well as money from any other source. The treasurer would also direct the fund's investments. Money in the fund at the close of a fiscal year would remain in the fund and not lapse to the General Fund. Money from the fund could also be used as match for a federal grant if the grant monies were used for the purposes listed above. Further, money in the fund available for distribution would have to be appropriated each year; money granted or received as a gift or donation would be available for distribution upon appropriation.

The bill is tie-barred to House Bill 5526, meaning that neither would take effect unless both were enacted.

House Bill 5526 would amend the Income Tax Act (MCL 206.435) to add the Autism Research Fund to the list of funds for which an individual could designate a contribution

of \$5, \$10, or more on an annual tax return. The bill is tie-barred to House Bill 5528, meaning that neither would take effect unless both were enacted.

House Bill 5527 and House Bill 5529 would add new sections to the insurance laws to require health insurers and HMOs to provide coverage for autism spectrum disorder subject to the same terms and conditions that the insurer applies to treatment of other disorders. "Autism spectrum disorder" would mean a neurobiological condition that included autism, Asperger Syndrome, and Rett's Syndrome. Treatments for which coverage would be required would include therapeutic evaluations and interventions, speech therapy, occupational therapy, physical therapy, intensive early intervention, applied behavioral analysis, and Lovass behavioral therapy.

House Bill 5527 would amend the Nonprofit Health Care Corporation Reform Act (MCL 550.1416e), which regulates Blue Cross Blue Shield of Michigan. House Bill 5529 would amend the Insurance Code (MCL 500.3406s) to apply to commercial insurers and health maintenance organizations (HMOs).

#### **FISCAL IMPACT:**

House Bill 5526 would have no fiscal impact on state or local government. The revenue generated for the Autism Research Fund depends on the number of contributions and the amount contributed. Between 1991 and 1999, the state provided income tax checkoffs for the Nongame Wildlife Fund and the Children's Trust Fund, which averaged \$569,081 and \$771,351, respectively, during those years. In their last year of existence (1999), the Nongame Wildlife Fund earned approximately \$534,000 and the Children's Trust Fund earned approximately \$938,000.

House Bills 5527 and 5529 would have no significant fiscal impact on the insurance regulation functions of the State of Michigan or on local units of government.

House Bill 5528 as introduced will have fiscal implications for the Department of Community Health. The department is responsible for administering the Autism Research Fund which involves the approval and distribution of funds promoting research programs related to autism.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.