

STATE OF KANSAS

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HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **HB 2764**, as amended by House Committee, on page 4, following line 4, by inserting:

"New Sec. 3. (a) (1) The department of health and environment, or any successor agency, shall provide services for the diagnosis and treatment of autism spectrum disorders for any individual in the state of Kansas whose age is less than 19 years and who is described in paragraph (2). Such services for the diagnosis and treatment of autism spectrum disorders shall be at least equal to the services for the treatment and diagnosis of autism spectrum disorders required pursuant to section 2, and amendments thereto.

(2) The services for the diagnosis and treatment of autism spectrum disorders specified in paragraph (1) shall be provided to:

(A) Any individual who qualifies for or is provided services pursuant to the provisions of K.S.A. 38-2001, and amendments thereto; or

(B) any individual who is not listed in subsection (a)(2)(A) and who qualifies for or is provided services under an autism waiver or other Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 *et seq.*

(b) The department of health and environment, or any successor agency, is hereby directed to seek any necessary waivers from program requirements of the federal government as may be needed to carry out the provisions of this section and to maximize federal matching and other funds with respect

to the provisions of this section. If the department of health and environment, or any successor agency, determines that one or more waivers from program requirements of the federal government are needed to carry out the provisions of this section, the department of health and environment, or any successor agency, shall implement the provisions of this section only if such waivers to federal program requirements have been obtained from the federal government.

(c) (1) Except as provided in paragraph (2), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 *et seq.*, shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the date of receipt of the waivers required under subsection (b).

(2) If the department of health and environment, or any successor agency, determines that no waivers are required to implement the provisions of subsection (b), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 *et seq.*, shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the effective date of this act.

(d) For the purposes of this section:

(1) "Autism spectrum disorder" means the following disorders within the autism spectrum: Autistic disorder, Asperger's syndrome and pervasive developmental disorder not otherwise specified, as such terms are specified in the diagnostic and statistical manual of mental disorders, fourth edition,

text revision (DSM-IV-TR), of the American psychiatric association, as published in May, 2000, or later versions as established in rules and regulations adopted by the behavioral sciences regulatory board pursuant to K.S.A. 74-7507, and amendments thereto.

(2) "Diagnosis of autism spectrum disorder" means any medically necessary assessment, evaluation or test to determine whether an individual has an autism spectrum disorder.";

And by renumbering remaining sections accordingly

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