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OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA**



**MEMORANDUM**

Agenda Item No. 11(A)(18)

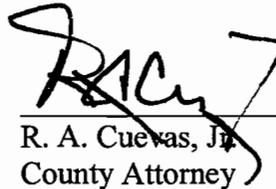
**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** February 17, 2009

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution commending the Florida  
Legislature for requiring insurance  
companies to provide coverage for  
autism behavioral therapy  
**Resolution No. R-133-09**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** February 17, 2009

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(18)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Mayor's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(18)  
2-17-09

RESOLUTION NO. R-133-09

RESOLUTION COMMENDING THE FLORIDA LEGISLATURE FOR REQUIRING INSURANCE COMPANIES TO PROVIDE COVERAGE FOR AUTISM BEHAVIORAL THERAPY; URGING THE LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO EXTEND COVERAGE TO OTHER DEVELOPMENTAL DISABILITIES; FURTHER URGING THE LEGISLATURE TO PASS LEGISLATION REQUIRING A PHYSICIAN TO REFER A CHILD TO AN APPROPRIATE SPECIALIST FOR AUTISM SCREENING WHEN A PARENT OR GUARDIAN REPORTS THAT A MINOR EXHIBITS SYMPTOMS OF AUTISM

**WHEREAS**, in the closing minutes of the 2008 legislative session, the Florida Legislature passed Senate Bill 2654, which required insurance companies to provide coverage for evidence-based, medically necessary autism therapies; and

**WHEREAS**, SB 2654 requires that insurance companies cover up to \$36,000 a year for applied behavior analysis and other therapies for children under age eighteen, with a lifetime limit for treatments of \$200,000; and

**WHEREAS**, the legislation gives insurance companies until April, 2009 to negotiate a compact with the State Office of Insurance Regulation to develop autism coverage plans before the mandate takes effect; and

**WHEREAS**, Florida families who have children with autism can now get insurers to cover most of the costs for diagnosis and treatment of autism, but SB 2654 did only part of what the developmentally disabled community wanted; and

**WHEREAS**, this community wanted to require insurance coverage guarantees not only for children with autism, but also many other developmental disabilities, including spina bifida, mental retardation, cerebral palsy, Prader-Willi syndrome and Down syndrome; and

**WHEREAS**, requiring insurance coverage for autism therapies is a great help to families who have children with autism, but covers only about 15 percent of children with developmental disabilities; and

**WHEREAS**, families who have children with other developmental disabilities should also have insurance coverage; and

**WHEREAS**, in the case of autism, Florida law currently does not require a physician to refer a child to a psychiatrist, neurologist, pediatrician who specializes in child neurology or other appropriate specialist for autism screening when a parent or guardian reports that a minor exhibits symptoms of autism; and

**WHEREAS**, ensuring that a child whose parent or guardian suspects of having autism is evaluated by a specialist with training in autism spectrum disorder is critical to getting the child the help he or she may need; and

**WHEREAS**, bills have been filed for consideration during the 2009 session that would require physicians to make such a referral, SB 242 by Senator Jeremy Ring (D – Margate) and HB 89 by Representative Stephen Precourt (R – Winter Garden),

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Commends the Florida Legislature for requiring insurance companies to provide coverage for autism behavioral therapy.

**Section 2.** Urges the Legislature to require insurance companies to extend coverage to other developmental disabilities, including spina bifida mental retardation, cerebral palsy, Prader-Willi syndrome and Down syndrome.

**Section 3.** Urges the Legislature to pass SB 242, HB 89 or similar legislation requiring a physician to refer a child to an appropriate specialist for autism screening when a parent or guardian reports that a minor exhibits symptoms of autism.

**Section 4.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, Senator Jeremy Ring and Representative Stephen Precourt.

**Section 5.** Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Sections 2 and 3 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2009 State Legislative Package to include these items.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of February, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Kay Sullivan**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "JMM", is written over a horizontal line.

Jess M. McCarty