

**DEPARTMENT OF INSURANCE
OFFICE OF THE COMMISSIONER**

Statutory Authority: 18 Delaware Code, Sections 3366 and 3570A (18 **Del.C.** §§3366 and 3570A)

GENERAL NOTICE

NOTICE

Autism Spectrum Disorders Coverage

The purpose of this notice is to comply with 18 **Del.C.** §§ 3366(b) (Health Insurance Contracts - Autism spectrum disorders coverage) and 3570A(b) (Group and Blanket Health Insurance - Autism spectrum disorders coverage), which require that:

After December 31, 2012, the Insurance Commissioner shall, on or before April 1 of each calendar year, publish in the *Delaware Register of Regulations* an adjustment to the maximum benefit [for coverage for applied behavior analysis services, which is] equal to the change in the United States Department of Labor Consumer Price Index for all Urban Consumers (CPI-U) in the preceding year and the published adjusted maximum benefit shall be applicable to all health insurance policies issued or renewed thereafter.

The General Assembly established the maximum benefit on August 13, 2012 at \$36,000 per twelve-month period per person (See SB No. 22/SA Nos 1&3, 146th Gen. Assem. (2011-2012)), and specified that the benefit "shall not be subject to any limits on the number of visits an individual may make to an autism services provider, or that a provider may make to an individual, regardless of the locations in which services are provided."

Using the CPI-U Historical Tables published by the U.S. Bureau of Labor Statistics at https://www.bls.gov/regions/mid-atlantic/data/consumerpriceindexhistorical_us_table.htm, the maximum benefit for coverage for applied behavior analysis services per person for 2023 is \$37,455.43. The maximum per person 2023 benefit shall go into effect on April 1, 2023 and shall remain in effect until March 31, 2024.

Questions concerning this notice should be directed to:

Delaware Department of Insurance
ATTN: Consumers Division - Autism spectrum disorders coverage
1351 West North St., Ste. 101
Dover, DE 19904

compliance@delaware.gov (please put "Autism spectrum disorders coverage" in the subject line of the email).

26 DE Reg. 881 (04/01/23) (Gen. Notice)