

DEPARTMENT OF INSURANCE

OFFICE OF THE COMMISSIONER

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

GENERAL NOTICE

REGISTER NOTICE

Autism Spectrum Disorders Coverage

The purpose of this order 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 autism spectrum disorders, 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 Legislature 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 autism coverage has fluctuated since 2012 as follows:

Benefit Year	CPI-U	Calculation	Resulting Benefit
2012			\$36,000.00
2013	1.5	$(\$36,000 \times 0.0015) = \540	\$36,540.00
2014	0.8	$(\$36,540 \times 0.0008) = \29.23	\$36,569.23
2015	0.7	$(\$36,569.23 \times 0.0007) = \25.60	\$36,594.83
2016	2.1	$(\$36,594.83 \times 0.0021) = \76.85	\$36,671.68
2017	2.1	$(\$36,671.68 \times 0.0021) = \77.02	\$36,748.70
2018	1.9	$(\$36,748.70 \times 0.0019) = \69.82	\$36,818.52
2019	2.3	$(\$36,818.52 \times 0.0023) = \84.68	\$36,903.20

As indicated in the above table, the maximum per person benefit for 2020 is \$36,903.20. The 2020 maximum per person benefit shall go into effect on April 1, 2020 and shall remain in effect until March 31, 2021. Thereafter, the maximum benefit shall increase annually by the applicable CPI-U by operation of 18 Del.C. §§3366 and 3570A.

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

consumers@delaware.gov (please put “Autism spectrum disorders coverage” in the subject line of the email).

23 DE Reg. 780 (03/01/20) (Gen. Notice)