

2020 South Dakota Legislature  
**House Bill 1214**

**AMENDMENT 1214A FOR THE INTRODUCED BILL**

1 **An Act to revise provisions regarding autism spectrum disorder.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1.** That § 58-17-157 be AMENDED:

4 **58-17-157. Applied behavior analysis--Autism spectrum disorders--**  
5 **Definition.**

6 Every policy, contract, certificate, or plan subject to the provisions of §§ 58-17-  
7 154 to 58-17-162, inclusive, shall provide coverage for applied behavior analysis for the  
8 treatment of autism spectrum disorders consistent with §§ 58-17-154 to 58-17-162,  
9 inclusive. For the purposes of this section, autism spectrum disorder, means the definition  
10 contained in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, 2013,  
11 published by the American Psychiatric Association.

12 **Section 2.** That § 58-17-154 be AMENDED:

13 **58-17-154. Definitions for §§ 58-17-155 to 58-17-162.**

14 Terms used in §§ 58-17-155 to 58-17-162, inclusive, mean:

- 15 (1) "Applied behavior analysis," the design, implementation, and evaluation of  
16 environmental modifications, using behavioral stimuli and consequences, to  
17 produce socially significant improvement in human behavior, including the use of  
18 direct observation, measurement, and functional analysis of the relationship  
19 between environment and behavior;
- 20 (2) "Autism spectrum disorder," ~~a complex neurodevelopmental medical disorder~~  
21 ~~characterized by social impairment, communication difficulties, and restricted,~~  
22 ~~repetitive, and stereotyped patterns of behavior~~ the definition contained in the  
23 Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, 2013, published  
24 by the American Psychiatric Association;

- 1 (3) "Behavioral health treatment," evidence-based interventions that:
- 2 (a) Achieve specific improvements in functional capacity of a person; and
- 3 (b) Are provided or supervised by a licensed practitioner as provided in § 58-17-
- 4 159;
- 5 (4) "Treatment," evidence-based care which is prescribed or ordered for a person
- 6 diagnosed with an autism spectrum disorder by a licensed physician or psychologist,
- 7 including:
- 8 (a) Behavioral health treatment;
- 9 (b) Pharmacy care; and
- 10 (c) Therapeutic care.