

SENATE BILL 3107

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 68, relative to a commission on autism spectrum disorders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following as a new section:

§ 68-1-127.

(a) There is created the Tennessee advisory commission on autism spectrum disorders, which shall consist of the following twenty-two (22) members who shall be initially appointed by August 1, 2010:

(1) The commissioner of health or the commissioner's designee;

(2) The deputy commissioner of the bureau of TennCare or the deputy commissioner's designee;

(3) The director of the Tennessee early intervention system, department for health, or the director's designee;

(4) The commissioner of the mental health and developmental disabilities or the commissioner's designee;

(5) The commissioner of the Tennessee commission on aging and disability or the commissioner's designee;

(6) The executive director of the Tennessee higher education commission or the executive director's designee;

(7) The commissioner of education or the commissioner's designee;

(8) The commissioner of human services or the commissioner's designee;

(9) The commissioner of commerce and insurance or the commissioner's designee;

(10) Two (2) nonvoting ex officio members from the house of representatives, one (1) representing the majority party and one (1) representing the minority party, who shall be appointed by and serve at the pleasure of the speaker;

(11) Two (2) nonvoting ex officio members from the senate, one (1) representing the majority party and one (1) representing the minority party, who shall be appointed by and serve at the pleasure of the speaker;

(12) Four (4) professional autism spectrum disorder (ASD) treatment providers, including at least one (1) mental health provider, one (1) physical health provider, and one (1) complex needs consultant from a special education cooperative, to be appointed by the governor; and

(13) Five (5) parents, including three (3) who, at the time of their appointment to the commission, have a child with an ASD who is under eighteen (18) years of age and two (2) who, at the time of their appointment to the commission, have a child with an ASD who is eighteen (18) years of age or older, to be appointed by the governor.

(b) In making appointments to the commission, the governor shall ensure broad representation of Tennessee's citizens who are concerned with the health and quality of life of individuals with an ASD, may appoint individuals who are also members of the Tennessee Council on Developmental Disabilities, and shall consider candidates recommended by the Autism Spectrum Disorders Advisory Consortium of Tennessee.

(c) Members shall serve without compensation but shall be reimbursed for their actual expenses incurred in the performance of commission duties in accordance with

the comprehensive travel rules promulgated by the commissioner of finance and administration and approved by the attorney general and reporter. Members of the commission shall serve until the commission ceases to exist, a successor has been appointed, or until removed for good cause.

(d) The department of health shall provide staff and administrative support for the commission.

(e) The chair of the commission shall be designated by the governor and may be a member in addition to those listed in subsection (a). The chair of the commission shall establish procedures for the commission's internal procedures.

(f) The commission shall meet at least three (3) times per year. The commission shall also meet as often as necessary to accomplish its purpose upon the call of the chair, the request of four (4) or more members, or the request of the governor.

(g) The commission shall develop a comprehensive state plan for creating an integrated system of training, treatments, and services for individuals of all ages with an ASD. The commission shall utilize relevant data and research and consult with appropriate professionals, agencies, institutions, and organizations representing the private and public sectors, to develop the state plan. The state plan shall include the following:

- (1) An assessment of the diverse needs for services and supports for individuals with an ASD;
- (2) Identification of state, federal, private, and any other appropriate funding sources;
- (3) Development of a comprehensive training plan to meet training needs;
- (4) An analysis of standards for provider training and qualifications, best practice standards for services, and the need for additional service providers;

(5) An evaluation of health benefit plans and insurance coverage for the treatment of ASD;

(6) A plan for the identification of individuals of all ages with an ASD and for the creation of a statewide ASD registry;

(7) An analysis of program and service eligibility criteria;

(8) An assessment of the need for coordinated, enhanced, and targeted special education and treatment programs for children with an ASD; and

(9) A timeline for implementing and monitoring the recommendations of the plan statewide. The timeline shall include input from the following:

(A) The department of health;

(B) The bureau of TennCare;

(C) The department for public health;

(D) The department for mental health and developmental disabilities;

(E) The Tennessee early intervention system;

(F) The department of human services;

(G) The department of commerce and insurances;

(H) The department of education;

(I) The Tennessee higher education commission; and

(J) Other appropriate agencies, professionals, institutions, and organizations representing the public and private sectors.

(h) Based upon the comprehensive state plan for an integrated system of training, treatment, and services for individuals of all ages with an ASD, the commission shall make recommendations regarding legislation, administrative regulations, and policies to the governor and the general assembly on the following:

- (1) Needs for services and supports for individuals who have an ASD;
- (2) Funding needs and sources, including state, federal, private, and any other appropriate funding sources;
- (3) Training needs and a plan to implement a comprehensive training system;
- (4) Standards for provider training and qualifications, best practice standards for services, and the need for additional providers;
- (5) Goals for developing health benefit plans that provide insurance coverage for the treatment of ASD;
- (6) A plan for the identification of individuals of all ages with an ASD and for the creation of a statewide ASD registry;
- (7) Consistent program and service eligibility criteria;
- (8) The need for coordinated, enhanced, and targeted special education and treatment programs for individuals with an ASD; and
- (9) Strategies and timelines for establishing an accountable, cost-efficient, and cooperative system of services that integrates and builds upon existing public and private agencies, programs, and resources.

(i) The commission shall submit the comprehensive state plan and recommendations to the governor, the Tennessee Council on Developmental Disabilities, and the select committee on children and youth by October 1, 2011, at which time the commission shall cease to exist unless reauthorized by the general assembly.

(j) The Tennessee Council on Developmental Disabilities shall appoint a subcommittee, which shall include members of the commission, to monitor the implementation of the state plan as developed by the commission beginning October 1,

2011. The subcommittee shall prepare, and the council shall submit, a report to the governor and select committee on children and youth that assesses progress in the implementation of the state plan and that makes recommendations on the need for modifications to the state plan as developed by the Tennessee advisory commission on autism spectrum disorders. The subcommittee shall prepare, and the council shall submit, the report as it deems appropriate, but no less than biennially, until October 1, 2015.

SECTION 2. Tennessee Code Annotated, Section 4-29-233(a), is amended by adding the following new item:

() Tennessee advisory commission on autism spectrum disorders created by § 68-1-127;

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.