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MANAGEMENT ADVISORY #09-020

DATE: September 18, 2009
TO: Personnel Officers and Benefit Coordinators
FROM: Suzetta Furlong, Manager
SUBJECT: New Legislation, Effective January 1, 2010

Recent federal and state legislation impacts health care plans. For more information, refer to the law or statute and/or call the health insurance plan.

[Florida Statute s. 627.6686](#)

Autism Coverage—Effective January 1, 2010, children under 18 years of age or 18 or older who are in high school may be eligible for medically necessary treatment of autism spectrum disorders. They must have been diagnosed as having a developmental disability at age eight or younger. Certain benefits are limited by statute to a maximum of \$36,000 per year with a maximum lifetime benefit of \$200,000. Review your plan's certificate of coverage or benefit document or contact your health plan for specific information about coverage, limitations and exclusions.

[Federal Mental Health Parity and Addiction Equity Act of 2008 \(H.R. 1424\)](#)

Mental Health Parity—Effective January 1, 2010, benefits for mental health and substance abuse will be treated like benefits for regular medical and surgical care. For example, if there is no limitation on the number of days for inpatient and outpatient medical care, there can be no limitation for mental health and substance abuse treatments. As always, treatments must be medically necessary to qualify for coverage. Plan participants should review their plan's certificate of coverage or benefit document for specific information about coverage, limitations, and exclusions for mental health care and substance abuse treatments.

[Federal "Michelle's Law" \(H.R. 2851\)](#)

Michelle's Law—The federal law known as "Michelle's Law" (P.L. 110-381) allows college students to remain eligible for dependent coverage if they take a medically necessary leave of absence from school. Effective January 1, 2010, this law applies to eligible students, ages 19 to 25. After one year, the student must return to school or meet other eligibility criteria to remain in the pretax family plan.