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An Act To Clarify the Definition of Autism and Eligibility for Services from the Department of Health and Human Services

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 34-B MRSA §6002, as enacted by PL 1983, c. 824, §U, is amended to read:

§ 6002. Autism defined

Autism refers to a developmental disorder characterized by a lack of responsiveness to other people, gross impairment in communicative skills and unusual responses to various aspects of the environment, all usually developing within the first 30 months of age. For purposes of this chapter, a person with autism is one:

1. Diagnosis. Whose diagnosis, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, published by the American Psychiatric Association, is:

- A. Autistic Disorder;
- B. Rett's Disorder;
- C. Childhood Disintegrative Disorder;
- D. Asperger's Disorder; or
- E. Pervasive Developmental Disorder Not Otherwise Specified; and

2. Assessment. Who has been assessed as having an adaptive behavior score at least 2 standard deviations below the mean on an adaptive behavior scale approved for this purpose by the department. The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 34-B MRSA §6005 is enacted to read:

§ 6005. Services to adults with autism

1. Provision of services. The department may provide services to an adult person with autism if the person displays substantial functional limitations in 3 or more of the following:

- A. Communication;
- B. Self-care;
- C. Self-direction;

D. Capacity for independent living; and

E. Learning.

SUMMARY

This bill updates the definition of autism by adopting the most recent version of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders in which "pervasive developmental disorders" are described as including 5 separate conditions and by application of a test to assess the applicant's level of adaptive functional abilities.