

*Comparative Placement of
Autism for Centralized
Services in Other States*

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Comparative Statutory Definitions of Autism

- The Virginians With Disabilities Act includes autism under its definition of “mental impairment.” § 51.5-3.
- The Code of Virginia further defines autism as a type of “biologically based mental illness” for purposes of a section that mandates health insurance coverage. § 38.2-3412.1:01(E).

Texas

- “Autism and other pervasive developmental disorders” means a subclass of mental disorders characterized by distortions in the development of multiple basic psychological functions that are involved in the development of social skills and language, as defined in the Diagnostic and Statistical Manual, 4th Edition. Tex. Hum. Res. Code § 114.002.

Florida

- Autism means a pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age or onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.
Fla. Stat. § 393.063.

New York

- “Developmental disability” means a disability of a person which:
- (a)(1) is attributable to mental retardation, cerebral palsy, epilepsy, neurological impairment, familial dysautonomia or autism;
- (2) is attributable to any other condition of a person found to be closely related mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior to that of mentally retarded persons or requires treatment or services similar to those required for such person; or
- 3) is attributable to dyslexia resulting from a disability described in subparagraph (1) or (2) of this paragraph;
- (b) originates before such person attains age twenty-two;
- (c) has continued or can be expected to continue indefinitely; and
- (d) constitutes a substantial handicap to such person’s ability to function normally in society. NY CLS Men. Hyg. § 1.03.

North Carolina

- “Autism” means a physical disorder of the brain which causes disturbances in the developmental rate of physical, social, and language skill; abnormal responses to sensations; absence of or delay in speech or language; or abnormal ways of relating to people, objects, and events. Autism occurs sometimes by itself and sometimes in conjunction with other brain-functioning disorders. NCGS § 35A-1101(1).

Kentucky

- (1) “Autism” means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three(3) , that adversely affects educational performance. Characteristics of autism include:
 - (a) Irregularity and impairment in communication;
 - (b) Engagement in repetitive activity and stereotyped movement;
 - (c) Resistance to environmental change or change in daily routine; and
 - (d) Unusual responses to sensory experience.

The term does not include children characteristics and emotional-behavioral disability as defined in KRS 157.200.

KRS § 164.981.

No Statutory Definitions

- Massachusetts
- West Virginia
- Tennessee
- Maryland

Summary of State Approaches to Centralized Autism Services

- Texas
- Ohio
- California
- Illinois

Texas Interagency Council on Autism and Pervasive Developmental Disorders Act (1987)

- Seven Public Members who are family members of a person with autism or a pervasive developmental disability disorder (PDD), appointed by the Governor with the advice and consent of the Senate.
- Six Ex Officio Members from state departments on aging, disability services, health and human services, education, rehabilitative services, and family and protective services.
- Council must develop State Plan to identify needs of autism/PPD population and recommend means to meet those needs statewide. § 114.006.

Ohio Department of Mental Retardation and Developmental Disabilities

- As in several states, Ohio places Autism under its Department of Mental Retardation
- Research does show a correlation between autism disorders and the presence of MR
- Ohio Developmental Disabilities Council
 - 28 Members, including consumers and many agency representatives.
 - Autism Task Force developed Guidelines to assist families and professionals.
 - Ohio Autism Taskforce (2003), led by an Ohio state representative, compiled 43 administrative and legislative recommendations.

California Department of Developmental Services

- Created in 1969 pursuant to the Lanterman Developmental Disabilities Services Act. Cal. Wel. & Inst. Code § 4500.
- Regional Center System consists of 21 nonprofit and independent agencies under contract with the Department to provide services.
- Provides services to individuals professionally diagnosed with MR, autism, epilepsy, cerebral palsy, and conditions similar to MR that are not solely physical in nature.
- Persons with PPD, Not Otherwise Specified (NOS), Asperger's Disorder, Rett's Disorder, or Childhood Disintegration Disorder do not qualify for services, unless substantial impairment per regulations.
- Autism is the fastest growing developmental disability group entering the California system (97% increase from 1998-2002).

Illinois Autism Spectrum Disorders Reporting Act (2005)

- Health care professionals required to report data to Department of Public Health upon every diagnosis of autism spectrum disorder in state. 410 ILCS 201/15.
- Maintain Autism Spectrum Disorder Registry. 410 ILCS 201/25.
- Provide annual progress reports to the General Assembly. 410 ILCS 201/30.
- Promulgate rules to foster the study, research, diminution, and control of ASD in Illinois. 410 ILCS 201/35.

Other Recent Initiatives in IL

- Autism Study Task Force convened by Department of Human Services must provide annual reports to the Governor and General Assembly. 20 ILCS 1705/57.
- Department of Human Services must provide an autism diagnosis education program to promote best practice standards for diagnosis and treatment planning. 20 ILCS 1705/57.5. The Department appropriated \$2.5 million in funding for the Autism Program.
- Giant Steps Autism Center for Excellence pilot program to enhance autism study and educational training. 105 ILCS 5/2-3-3.123.
- Taxpayers can make contributions to Autism Research Fund on tax returns. 35 ILCS 5/507EE, 20 ILCS 1305/10-8.
- Illinois is building the nation's first, state-of-the-art Therapeutic School and Center for Autism Research.