**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑11‑250 SO AS TO CREATE THE “PALMETTO AUTISM TRUST FUND”, TO DESIGNATE AN ADMINISTERING BOARD, TO PROVIDE FOR THE PURPOSE OF THE TRUST FUND, AND TO PROVIDE FOR DUTIES AND RESPONSIBILITIES OF THE BOARD.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 11, Title 11 of the 1976 Code is amended by adding:

“Section 11‑11‑250. (A) There is created a ‘Palmetto Autism Trust Fund’ (trust fund) to be housed in the South Carolina State Treasurer’s Office, with all interest accruing to the benefit of the fund. The General Assembly may appropriate necessary funds to carryout the administration of this section. The trust fund must be administered by a board consisting of:

(1) one appointee by the Governor, which may be a parent of an autistic child;

(2) two appointees by the Chairman of the House Ways and Means Committee, one of which may be a House member and one of which may be a parent of an autistic child;

(3) two appointees by the Chairman of the Senate Finance Committee, one of which may be a Senate member and one of which may be a parent of an autistic child;

(4) the Director of the Department of Health and Human Services or his designee; and

(5) the Director of the Department of Disabilities and Special Needs or his designee.

No member of the board is entitled to any compensation or reimbursement.

(B) The purpose of the trust fund is to provide financial assistance to ensure the timely evaluation, diagnosis, and treatment of autism for individuals aged eighteen and under and their families. The trust fund also may engage in efforts to assist in the development of autism centers of excellence that engage in the training of practitioners and advanced treatment practices and research related to autism.

(C) Any administrative services or support for the board must be provided by the Department of Health and Human Services.

(D) The duties and responsibilities of the board include:

(1) administering the trust fund with all powers reasonable and necessary to fulfill its purpose;

(2) reviewing and evaluating the accessibility to initial autism evaluations and Medicaid eligibility to identify any barriers to diagnosis and enrollment and making appropriate recommendations to the General Assembly or the respective state agency; and

(3) reviewing and evaluating the viability of a center of excellence for autism spectrum disorder.

(E) To facilitate this process, the diagnosis of autism spectrum disorder by a qualified health care provider utilizing the Autism Diagnostic Observation Schedule or through a Medicaid‑designated Developmental Evaluation Center is considered to be sufficient for purposes of Medicaid and the Katie Beckett Tax Equity and Fiscal Responsibility Act (TEFRA) applications, and no further evaluation will be considered necessary or required for a diagnosis. The certification by a physician licensed in this State for a level of care determination and that care in the home is appropriate is considered to be sufficient for purposes of Medicaid and TEFRA applications, and no further evaluation will be considered necessary or required for a level of care determination.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑