

29 (i) be substantially equal to a health benefit plan with the largest insured commercial
 30 enrollment offered by a health maintenance organization in the state; [~~and~~] ~~H→~~ **and** ~~←H~~

31 (ii) comply with the Mental Health Parity and Addiction Equity Act, Pub. L. No.
 32 110-343; and

33 ~~H→ [(iii) provide treatment for autism spectrum disorder as defined in Section 31A-22-642,~~
 34 ~~including coverage for applied behavioral analysis; and] ←H~~

35 (b) dental program benefits shall be benchmarked effective July 1, 2019, and on July 1
 36 every third year thereafter in accordance with the Children's Health Insurance Program
 37 Reauthorization Act of 2009, to be substantially equal to a dental benefit plan that has the largest
 38 insured, commercial, non-Medicaid enrollment of covered lives that is offered in the state,
 39 except that the utilization review mechanism for orthodontia shall be based on medical necessity.

40 (2) On or before July 1 of each year, the department shall publish the benchmark for
 41 dental program benefits established under Subsection (1)(b).

42 (3) The program benefits ~~H→~~ :

42a (a) ~~←H~~ for enrollees who are at or below 100% of the federal poverty

43 level are exempt from the benchmark requirements of Subsections (1) and (2) ~~H→~~ [:] ; **and**

43a (b) **shall include treatment for autism spectrum disorder as defined in Section**
 43b **31A-22-642, which:**

43c (i) **shall include coverage for applied behavioral analysis; and**

43d (ii) **if the benchmark described in Subsection (1)(a) does not include the coverage**
 43e **described in this Subsection (3)(b), the department shall exclude from the benchmark**
 43f **described in Subsection (1)(a) for any purpose other than providing benefits under the**
 43g **program.** ~~←H~~