

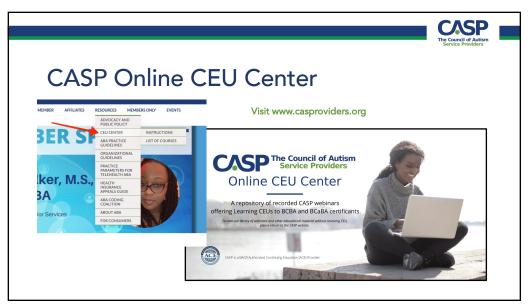
# A Seat at the Table

# Meaningful Advocacy for Autism Service Providers

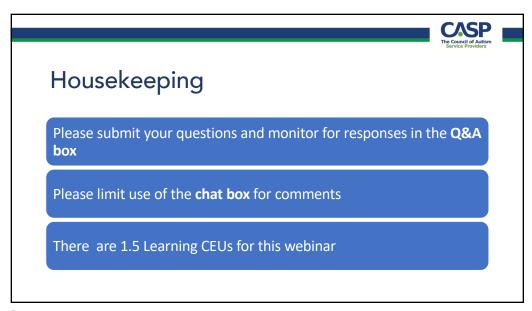
Presented by: Judith Ursitti, CPA Ashley Williams, PhD, LABA, BCBA-D Rebecca Womack, MS, BCBA, LBA Rebecca Giammatti, MS, BCBA, LBA-CT

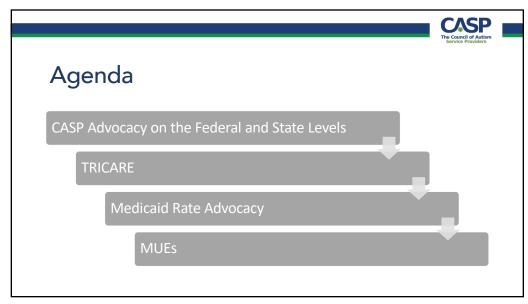
1

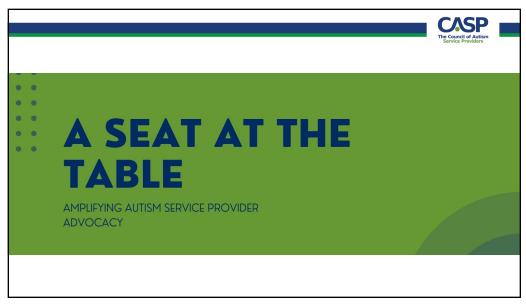


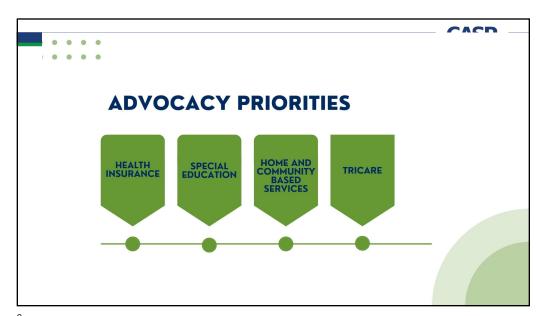














## Home and Community Based Services

- CASP provided <u>written comment</u> in Massachusetts on the regulations implementing self-directed home-and-community-based services via The Real Lives Bill.
- CASP provided public comment to the Texas Health and Human Services Commission regarding proposed rules that would unfairly limit Home and Community-Based Services options for Texans with autism and other disabilities. Texas HHSC has now said that the proposed rules will be revised.

9



## Special Education (Federal)

 On July 19, 2022, Miguel A. Cardona, Ed.D., U.S. Secretary of Education, published a letter that states:

"The Department has taken steps to address the needs of schools by providing substantial resources to support the challenging work of setting all students up for success and meeting their academic, behavioral, and mental health needs. This letter shares information about resources from the Department that may be useful in supporting the needs of students with disabilities in particular, including tools for schools to assist students in addressing any disability-based behaviors that could otherwise interfere with their or other students' learning, or that could lead to student discipline or impact safety."

Read the new guidance here.



## **Special Education**

- CASP is coordinating with Virginia stakeholders to ensure rate-setting language is removed related to service provision of private day schools.
- CASP is also coordinating with New York CASP members regarding the rate disparity experienced by Chapter 853 schools and preschools.
- The Florida governor approved <u>HB 255</u>, revising the definition of "private instructional personnel" to include certain registered behavior technicians.
- Colorado's <u>HB 1260</u> has been signed by the governor. It requires each administrative unit
  to adopt a policy addressing how a student who has a prescription from a qualified
  healthcare provider for medically necessary treatment receives such treatment in the
  school setting as required by federal and state laws.

11



#### Licensure

- CASP provided additional <u>public comment</u> to the North Carolina Licensure Board regarding proposed regulations related to the licensure of BCBAs.
- CASP also provided <u>public comment</u> in Nebraska before the Applied Behavioral Analyst Technical Review Committee at their August 12, 2022, public hearing.
- Wyoming, Georgia, and Illinois each passed licensure bills during their legislative sessions. CASP continues to provide support during the implementation process.



#### Health Insurance/Medicaid

- CASP provided public comment on California's <u>SB562</u>, The bill passed the legislature and was subsequently vetoed by the governor.
- CASP submitted a <u>letter</u> to Indiana's state Medicaid leadership regarding the problematic Medicaid rate survey.
- CASP provided oral public comment in California's pre-rulemaking hearing related to SB 855. CASP's Practice Guidelines for Applied Behavior Analysis are referenced in the draft regulations.
- In Virginia, the Bureau of Insurance issued a long-awaited <u>all-plan letter</u> clarifying that
  mental health parity protections apply to autism insurance coverage. This invalidates age
  and dollar caps and clarifies required coverage in marketplace plans as an essential
  health benefit.

13



## Health Insurance/Medicaid

- <u>HF 2167</u>, legislation to clarify the definition of autism to ensure critical mental health parity protections, has been signed by the governor in **lowa**. The law goes into effect on January 1, 2023.
- In **Oklahoma**, <u>SB 1240</u> has been approved by the governor, invalidating age and dollar caps and confirming coverage in marketplace plans. CASP provided public comment on proposed changes in Soonercare plans.
- Additionally, <u>reimbursement rates</u> for existing MassHealth coverage of applied behavior analysis therapy for children under the age of 21 have been published. The increase is an advocacy victory.



### Health Insurance/Medicaid

- In Hawaii, a <u>resolution</u> requesting the Department of Health and Department of Human Services to jointly develop and adopt all rules, policies, and plan amendments necessary for the State Medicaid program to cover medicallyneeded services, including Applied Behavior Analysis services, for individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder has been signed by the governor.
- CASP provided public comment on Proposed Rule: 59G-4.125/Behavior Analysis Services/Florida Medicaid Behavior Analysis Coverage Policy Draft Rule. Read our public comment <a href=here</a>.

15

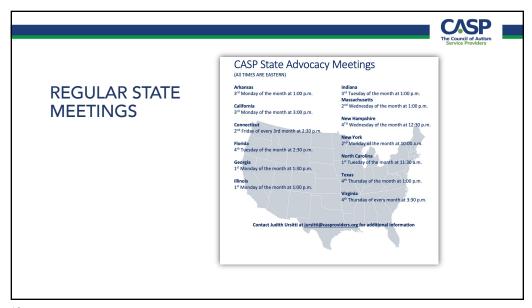


## And last, but not least

- In New York, advocacy continues to ensure coverage of applied behavior analysis for Medicaid-enrolled children as required under EPSDT.
- New York is the only state in the nation that has not yet implemented this coverage.









## STAY IN TOUCH

- jursitti@casproviders.org
- advocacy@casproviders.org
- <a href="https://casproviders.org/advocacy-and-public-policy/">https://casproviders.org/advocacy-and-public-policy/</a>