

DRAFT
ARKANSAS LEGISLATIVE TASK FORCE ON AUTISM
MEETING
OCTOBER 21, 2011

The Arkansas Legislative Task Force on Autism met Friday, October 21, 2011, at 1:00 p.m., in Room 130 at the State Capitol, Little Rock, Arkansas. Representative Uvalde Lindsey, Chair, presided.

Task Force members present were Representative Uvalde Lindsey, Ms. Vickie Tankersly (for Ms. Karan Burnette), Ms. Linda Rogers, (for Sharon Moone-Jochums), Ms. Marjorie Greenberg, Dr. Steve Kahler, Dr. Michael Martin, Dr. Charlie Green, Mr. Dan Honey (for Mr. Jay Bradford), Mr. Eric Moxley, Dr. Loretta Cochran, Ms. Maureen Bradshaw, Ms. Martha Kay Asti, Ms. Veronica Myers, ex officio, and Ms. Tonya Russell, ex officio.

Representative Lindsey opened the meeting. The minutes of the August 19, 2011, meeting were approved by acclamation.

Ms. Vickie Tankersly was introduced. Ms. Tankersly daughter was diagnosed with autism at an early age and received early intervention from UCLA. She is now a senior at Harding University majoring in speech pathology. She wants to work with children with the same disability.

Presentation of Smart 9-1-1 System

Mr. Todd Miller, Vice President, Public Safety Services, Rave Mobile, explained the challenges 9-1-1 centers have when responding to calls, especially from families with an autistic child. Currently the 9-1-1 system provides only basic information about the 9-1-1 caller. He said 70% of emergency calls placed to 9-1-1 centers are from mobile phones. Mr. Miller explained different scenarios on how quickly the Smart 9-1-1 system helps first responders when they are called to a residence. The Smart 9-1-1 system is in 18 states and has won awards from International Association of Chiefs of Police and Association of Public Safety Communication Officers (APCO). Mr. Miller stated Rave Mobile is currently working with several institutions in the state, such as the University of Arkansas, providing public safety software.

Mr. Bud Gray, Operations Manager, North Little Rock Emergency Services, gave a PowerPoint presentation explaining how the Smart 9-1-1 system allows citizens to enter personal information about their health such as allergies and medication, pet and vehicle information, house lay-out, such as bedroom locations, which doors inside the home are locked and which windows are nailed shut. Photos of all members of the household helps a firefighter or a police officer who is responding to the home. Photos are stored on Smart 9-1-1 making it easier and faster to implement an Amber Alert if a child is missing. Smart 9-1-1 is a statewide initiative that uses a secure, confidential website. Any citizen can register information for Smart 9-1-1 free of charge. Smart 9-1-1 provides Next Generation (NG911), the ability to text message a 9-1-1 call to a

9-1-1 dispatcher. Implementing the Smart 9-1-1 system will cost the state \$1 million the first year and \$750,000 annually to operate. Mr. Gray will report back to the task force next month on the meeting with Mobile phone providers and the coalition.

Representative Lindsey is concerned about mobile phone providers implementing a fee to use NG911 that will be passed along to citizens. He suggested North Little Rock Emergency Services meet with Verizon, AT&T and other mobile phone providers to get their support of the Smart 9-1-1 system.

Dr. Charlie Green stated the Division of Developmental Disabilities Services (DDS) can help with the public relations campaign and feels there are a number of coalitions, such as Arkansas Advocates, Developmental Disability providers, Early Childhood Services, Easter Seals, Department of Education and Special Education, who will support implementing the Smart 9-1-1 system.

Ms. Mary Broadaway, Green County District 57, parent of a 19 year old diagnosed with autism, feels the state will need to find the resources to help young adults diagnosed with autism and other developmental disabilities become self supporting so they can be integrated into the community.

Update on the Insurance Department's Progress on Developing Rules to Implement Insurance Coverage for Autism

Mr. Booth Rand, Managing Attorney, Arkansas Insurance Department, explained why the department has not developed rules that apply to insurance coverage for autism. He said the mandate has been in place for only 20 days which is not long enough for insurance departments, providers, and consumers to gauge problems. Another reason the Insurance Department has not received complaints regarding the way the mandate is written. The mandate provides enough clarity to eliminate any concerns insurance companies, providers, or consumers may have regarding insurance coverage for autism. Mr. Rand said one question a provider had was insurance companies classifying autism as a mental health disorder requiring a minimum out of pocket expense of \$5,000. Mr. Rand said the mandate prohibits dollar limit variations that are lower than the policy's medical limit. He said insurance companies are concerned about violating mental health parity when placing an annual cap of \$50,000 on mental health and not having the same \$50,000 cap on medical health. Insurance companies are concerned that a parent will intentionally make insurance companies liable for mental health parity limitations. The Insurance Department received an answer from the federal government that the \$50,000 is an annual cap mandated by the state and does not violate mental health parity. The mandate provides clarity pertaining to provider credentials. The mandate prohibits insurance companies from avoiding their obligation to pay for treatment just because the autistic child is receiving treatment at school. Mr. Rand addressed issues that self-funded programs do not fall under the mandate. He explained that some companies who provide self-funded health care plans may cover autism, self-funded plans are generally exempt from State insurance regulations because they fall under the provisions of Section 514 of the Employee Retirement Income Security Act of 1974 (ERISA). The mandate does not apply to individual, major, or medical policies. Mr. Rand stated the Insurance Department will release a statement clarifying the mandate and ERISA. He

will email task force members the release statement so they can use their notification system to help get the word out to individuals on their contact list.

Dr. Loretta Cochran explained employees are having a problem getting their questions answered regarding whether their health care plan is self insured or fully insured when they talk to their human resource department or the insurance provider.

Mr. Bob Ridgeway, Attorney, Arkansas Blue Cross and Blue Shield, explained individuals who are unsure of their insurance coverage can call the company listed on the back of their insurance card.

First Responders Subcommittee Report

Dr. Cheryl May, Director, Criminal Justice Institute (CJI), addressed subcommittee discussions from the September 27, 2011, subcommittee meeting. She explained although the subcommittee's initiative is law enforcement based, the subcommittee would like to include firefighters and Emergency Medical Services. Currently, the agencies represented on the subcommittee are Arkansas Law Enforcement Training Academy, Commission on Law Enforcement Standards Training, Criminal Justice Institute, and Arkansas State Police. The school resource officer training funding allowed CJI to incorporate a number of autism spectrum disorder sessions within CJI's school resource officer training. She said UAMS Partner's for Inclusive Communities assisted in the sessions. CJI is working on an online program for first responders. She is hopeful that the four-hour session will be available March 2012. With Fire and EMS representatives at the table, CJI will tailor the training session for all first responders. The Arkansas Law Enforcement Training Academy is continuing to provide their block of instruction on developmental disabilities including autism spectrum disorder as part of their academy training. She cited Bud Gray's presentation on the Smart 9-1-1 system as informative, especially with how it relates to someone with a disability. Dr. May hopes the subcommittee will be able to discuss the subcommittee's goals and objectives at its next subcommittee meeting.

Other Business

Dr. Michael Martin, Arkansas Blue Cross Blue Shield, announced Blue Cross and Blue Shield will be sending out letters to the Board Certified Behavioral Analyst's (BCBA) informing them about an upcoming workshop in November for BCBA who have not had any experience in billing insurers. The workshop will explain policies and billing procedures.

Ms. Tonya Russell announced Early Childhood has been working on a grant called Race to The Top Early Learning Challenge Grant for early childhood. It is focused on birth to five years of age and will improve the quality of care for that age group. Her workgroup focused on training and professional development to early care and education providers, building infrastructure and systems and technology that needed to be improved. The \$48 million grant will end in four years. She said Early Childhood is waiting for the December 31, 2011 announcement date to see if they qualify for the grant.

Dr. Charlie Green reported that UAMS received funding to continue UAMS Department of Pediatrics' (CoBALT) Project. Since the last physician training session, Dr. Schulz has screened three more sets of physicians for the training teams. Dr. Schulz met with Medicaid to start the screening and evaluation process into the state plan. Dr. Green said Board Certified Assistant Behavioral Analyst (ABA) providers are not required to have a state certification except to do the waiver. Dr. Green said DDS is promulgating the rules associated with providing the state certification for ABA providers so that when the Medicaid waiver begins next calendar year, ABA providers will have the state certification.

Ms. Maureen Bradshaw introduced Ms. Sue Lynn Johnson, who is a new Behavior Consultant in the Monticello co-op area. She said Behavior Consultants are still training parents on early intervening services at the Conway office. The consultants are training only three sets of parents every other month. It is a small start, but they are helping parents. Department of Education (DOE) will start replicating the program out of Helena and DeQueen. DOE is training early childhood behavior consultants at the Helena and DeQueen co-op in both pivotal response and discreet trial.

Representative Lindsey suggested meeting with the Department of Education at the co-ops to adequately address the concerns with IEP's.

Meeting adjourned at 2:45 p.m.