

ARKANSAS LEGISLATIVE TASK FORCE ON AUTISM
MEETING MINUTES
NOVEMBER 18, 2016

The Arkansas Legislative Task Force on Autism met Friday, November 18, 2016, at 1:00 p.m., in Room 171, State Capitol, in Little Rock, Arkansas.

Task Force members present were: Senator Uvalde Lindsey, Representative Mary Broadaway, co-chairs, Ms. Karan Burnette, Ms. Lisa Haley, Ms. Tami Harlan, (*for Mr. Seth Blomeley*), Ms. Teresa Hardin, Ms. Diane Holitik, Dr. Randal Hundley, Ms. Camille Johnson, Ms. Karen Massey, Dr. Tyra Reid, Ms. Melissa Stone, Ms. Dianna Varady, and Ms. Nancy Wells. Also in attendance was Ms. Carrie Anderson (*for advisory member Dr. Charlie Green*).

Representative Broadaway recognized her guests Ms. Molly Ivy Wells, Mr. Nick Bruce, and Mr. Jack Broadaway, who are young adult advocates on the autism spectrum. Ms. Wells and Mr. Bruce are students of AbleTalks program. Ms. Wells is a writer, author and motivational speaker. Mr. Bruce is employed and has a Face book page. Mr. Broadaway attended school at Project Launch. He lives in an apartment and is employed.

Senator Lindsey recognized guest and called the meeting to order.

Adoption of Minutes from October 21, 2016 [Exhibit C]

The minutes from October 21, 2016, were approved by acclamation.

Discussion Regarding Potential Policy Changes that Restrict Access to Applied Behavior Analysis (ABA) Services as Practiced in Other States

Senator Lindsey asked the task force members to discuss potential policy changes to be presented to the Ninety-First Legislative Session.

Ms. Burnette gave an update on the Autism Medicaid renewal Waiver application. The waiver is currently under ninety-day extensions while amendments are being negotiated between Arkansas Medicaid and Centers for Medicaid and Medicare Services (CMS). CMS declined the amendment to increase the Medicaid Waiver cap from 100 to 150. CMS wants all Medicaid services moved to a State plan.

Discussion Regarding the Lack of Arkansas Access to Applied Behavior Analysis (ABA) Through Early and Periodic Screening, Diagnostic and Treatment (EPSDT)

Ms. Burnette said there are currently nine Medicaid eligible autistic children in the state under the age of sixteen receiving EPSDT services. EPSDT is a home-based, ABA therapy service. There are not a sufficient number of Board Certified Behavior Analysts (BCBA) in the state to provide ABA therapy service under EPSDT. EPSDT provider claims are routed through an Autism Waiver Agency who hires the therapy staff which includes a BCBA consultant and a line therapist. DHS is installing a Medicaid Management Information System (MMIS) to process EPSDT claims. MMIS should go into effect by May 2017.

Dr. Sheila Barnes, Arkansas Association for Behavior Analysis, explained several problems BCBA's encounter with EPSDT regulations. Ms. Barnes stated under EPSDT, BCBA's cannot provide ABA services unless they contract with another service provider which delays the process of clients receiving services they need. Another problem is BCBA's and other service providers use different methods of collecting data, strategies and approaches.

Broad Discussion on Planning Options for Better Access to Services and Support as Practiced in Other States

Ms. Tiffany Mrla, BCBA, stated there are many children entering grade school each year that should have been receiving autism services in Pre-k but were overlooked. Some parents are purchasing supplemental insurance policies through the Marketplace Exchange to pay for their child's autism therapy services, only to see those insurance companies drop out of the Exchange which makes insurance rates unsustainable and a financial detriment to BCBA's who are in private practice. Ms. Mrla suggested one idea on how to provide ABA services within the school system is to offer Registered Behavior Technician (RBT) credentialing to early childhood and grade school educators.

Ms. Angie Scott, Kids First Medical Director, University of Arkansas Medical Science, stated she would like to see ABA services more broadened to meet the needs of parents. Most parents have a difficult time planning their work schedule around their child's therapy schedule. Putting Board Certified Assistant Behavior Analyst (BCaBA)'s in daycares and schools can bridge the gap for children who need ABA and other developmental disability services. She suggested the task force address funding structure, work force issue, and implementation research on ABA and evidence-based practices in group settings. Ms. Scott stated several families who carry ABA services under the University's United Medical Resources (UMR) health insurance plan are denied every year on their first prior authorization request for ABA and must go through an appeal process.

Dr. Reid said one way to broaden ABA access for children with disabilities is using parent navigators and case managers.

Ms. Varady suggested one way to get ABA and behavior analytic strategies into the school system is for school teacher to be certified at the BCaBA level. Ms. Varady suggested further discussion regarding private insurances and Medicaid billing codes and service descriptions for ABA.

Senator Lindsey stated currently there are nine colleges in the state that offer a Bachelor's Degree in Special Education in which a BCaBA credential can be added.

Ms. Debra Poulin, Legal Director, Disability Rights Arkansas, stated her agency provides legal advocacy to parents and families who are being denied access to Medicaid services. Many parents are not made aware of ABA therapy nor do they know who to ask, and many physicians do not understand EPSDT.

Ms. Haley said Department of Education is revising training modules for paraprofessionals which will be placed on the Department of Education's website. She said the training module and techniques are beneficial for teachers also.

Senator Lindsey asked task force members and guest speakers to draft ideas regarding how to improve ABA access to every child in the state needing ABA services, how to get CMS approval, and state match for Medicaid. He stated the task force can meet informally away from the Capitol to discuss their ideas.

Meeting adjourned at 2:46 p.m.