




**TO: HealthChoices Contractors and BH-MCOs**

**FROM: Dennis Marion, OMHSAS Deputy Secretary** 

**DATE: March 18, 2015**

**RE: Medical Assistance Coverage of Services to Children and Adolescents with Autism Spectrum Disorders**

On July 7, 2014 the federal Centers for Medicare and Medicaid Services (CMS) issued an informational bulletin in response to "increased interest and activity with respect to services available to children with autism spectrum disorder (ASD)." The CMS bulletin provided technical information on approaches available under the federal Medicaid program for serving eligible individuals with ASD.

The bulletin also reiterated that services for children with ASD are covered under the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) provisions of the Social Security Act, which requires states to provide any coverable service listed in section 1905(a) of the Act that is determined to be medically necessary to correct or ameliorate any physical or behavioral conditions.

The bulletin identified Applied Behavioral Analysis (ABA) as one approach available for providing services to eligible children and adolescents with ASD. ABA can continue to be provided as part of the Commonwealth's Behavioral Health Rehabilitation Services array through Behavior Specialist Consultant (BSC-ASD) and Therapeutic Staff Support (TSS) services. The enrollment and payment of licensed providers that provide Behavior Specialist Consultant services to children with ASD (BSC-ASD) is described in OMHSAS Bulletin (OMHSAS-14-02) issued on May 23, 2014.

The Department recognizes that as a result of previous communications, there may have been confusion over what can be provided as part of BSC-ASD and TSS. ABA is the design, implementation, and evaluation of environmental modifications using behavioral stimuli and consequences to produce socially significant improvement in human behavior or to prevent loss of attained skill or function. ABA includes the use of direct observation, measurement, and functional analysis of the relations between environment and behavior. ABA is used to develop needed skills (behavioral, social, communicative, and adaptive functioning) through the use of reinforcement, prompting, task analysis, or other appropriate interventions in order for a child or adolescent to master each step necessary to achieve a targeted behavior.

If a comprehensive evaluation by a developmental pediatrician, licensed psychologist, psychiatrist, or a physician recommends that a child or adolescent receive ABA, the HealthChoices Contractor must review the request for services to determine if the requested services are medically necessary. The HealthChoices Contractor can request additional information if the child's or adolescent's needs are not clear or the request does not differentiate between BSC-ASD and TSS services.

A child or adolescent does not have to present with externalizing or negative behaviors in order for ABA to be medically necessary. To the extent that Appendix T has been interpreted to require such behaviors for the higher levels of intensity of BSC-ASD and TSS services for children and adolescents with ASD, the Department is clarifying that reviewers should focus on a child's or adolescent's level of functional impairment in determining the medical necessity of the requested services. The Department will be developing new medical necessity guidelines for HealthChoices Contractors to replace Appendix T for children with ASD.

HealthChoices Contractors are reminded of their obligation to ensure that their members have timely access to ABA services through a network of qualified providers and that their members have a reasonable choice of qualified providers. HealthChoices Contractors must include in their online provider directories which providers provide ABA through BSC-ASD services. The Department will be developing a means for provider agencies that offer ABA that do not have a mental health license to enroll in the Medical Assistance Program.

The Department will be scheduling follow up meetings with the HealthChoices Contractors and BH-MCOs to discuss any questions regarding the provision of ABA.