

Stricken language would be deleted from and underlined language would be added to present law.
Act 1008 of the Regular Session

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S3/17/15
A Bill

SENATE BILL 952

By: Senators K. Ingram, U. Lindsey
By: Representative Lemons

For An Act To Be Entitled

AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO EXPAND THE CAPACITY OF THE ARKANSAS AUTISM PARTNERSHIP; TO PROVIDE INTENSIVE EARLY INTERVENTION TREATMENT FOR ADDITIONAL CHILDREN DIAGNOSED WITH AUTISM SPECTRUM DISORDERS; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO EXPAND THE CAPACITY OF THE ARKANSAS AUTISM PARTNERSHIP.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-77-124 is amended to read as follows:
20-77-124. Medicaid waiver for autism.

(a) As used in this section:

~~(1)(A) — “Intensive early intervention individualized therapy services” means intensive early intervention individualized therapy for a child with a pervasive developmental disorder, including without limitation:~~

- ~~(i) — Behavioral therapies such as applied behavioral analysis and pivotal response training under the supervision of a behavior analyst who is board-certified by the Behavior Analyst Certification Board;~~
- ~~(ii) — Intensive speech therapy provided by a licensed speech therapist; and~~
- ~~(iii) — Intensive occupational therapy provided by a licensed occupational therapist.~~



~~(B) Except as provided in subdivision (a)(1)(C) of this section, "intensive early intervention individualized therapy services" does not include coverage for services to treat developmental disorders of language, early onset psychosis, dementia, obsessive compulsive disorder, schizoid personality disorder, avoidant personality disorder, or reactive attachment disorder.~~

~~(C) If a child with a pervasive developmental disorder is diagnosed to have one (1) or more of the conditions listed in subdivision (a)(1)(B) of this section, intensive early intervention individualized therapy services includes coverage only for therapy necessary to treat the pervasive developmental disorder; and~~

~~(2) "Pervasive developmental disorders", commonly known as autism spectrum disorders, means a neurobiological condition characterized by severe deficits and pervasive impairment in multiple areas of development diagnosed by a team evaluation including at least a licensed physician, a licensed psychologist, and a licensed speech pathologist for an individual with a developmental disability as defined in § 20-48-101, including without limitation:~~

~~(A) Asperger's disorder;~~

~~(B) Autism;~~

~~(C) Pervasive developmental disorder, not otherwise specified;~~

~~(D) Rett's disorder; and~~

~~(E) Childhood disintegrative disorder~~

(1) "Autism spectrum disorder" means a neurobiological condition that causes significant communication, social, and behavioral challenges that is diagnosed by a team of professionals, including without limitation a licensed physician, licensed psychologist, and a licensed speech-language pathologist;

(2) "Evidence-based strategies" mean treatments that have been proven effective with children diagnosed with autism spectrum disorder as established by the National Standards Report by the National Autism Center; and

(3) "Intensive early intervention treatment" means individualized treatment utilizing evidence-based strategies based on a detailed assessment of the child that occurs:

(A) In the home of the child;

(B) In the presence of the parent or legal guardian of the child; and

(C) For a maximum period of twenty-five (25) hours per week.

(b)(1) The Department of Human Services shall seek a Medicaid waiver from the Centers for Medicare and Medicaid Services to provide intensive early intervention ~~individualized therapy services~~ treatment to any eligible child who has been diagnosed with ~~a pervasive developmental disorder~~ an autism spectrum disorder.

(2)(A) The waiver shall be for children ~~three (3) years~~ eighteen (18) months of age through ~~ten (10) years~~ seven (7) years of age.

(B) ~~No~~ A child shall not participate in the Medicaid waiver under this section for more than three (3) years.

(C) The Medicaid waiver under this section shall not pay more than fifty thousand dollars (\$50,000) annually per child.

(3) The waiver shall seek to develop skills of children in the areas of cognition, behavior, communication, and social interaction.

(c)(1) The department shall apply for the Medicaid waiver under this section only as funding becomes available for that purpose.

(2) No later than January 1, 2016, the department shall apply to add an additional fifty (50) eligibility slots to the Medicaid waiver for autism, to the extent that appropriation and funding are available.

/s/K. Ingram

APPROVED: 04/02/2015