

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: S3/17/15
A Bill

SENATE BILL 952

5 By: Senators K. Ingram, U. Lindsey
6 By: Representative Lemons
7

For An Act To Be Entitled

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

16 TO REQUIRE THE DEPARTMENT OF HUMAN
17 SERVICES TO EXPAND THE CAPACITY OF THE
18 ARKANSAS AUTISM PARTNERSHIP.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 20-77-124 is amended to read as follows:
25 20-77-124. Medicaid waiver for autism.

26 (a) As used in this section:

- 27 ~~(1)(A) — “Intensive early intervention individualized therapy~~
- 28 ~~services” means intensive early intervention individualized therapy for a~~
- 29 ~~child with a pervasive developmental disorder, including without limitation:~~
- 30 ~~(i) Behavioral therapies such as applied behavioral~~
- 31 ~~analysis and pivotal response training under the supervision of a behavior~~
- 32 ~~analyst who is board-certified by the Behavior Analyst Certification Board;~~
- 33 ~~(ii) Intensive speech therapy provided by a licensed~~
- 34 ~~speech therapist; and~~
- 35 ~~(iii) Intensive occupational therapy provided by a~~
- 36 ~~licensed occupational therapist.~~



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

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

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

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

20 ~~(B) Autism;~~

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

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

24 ~~(E) Childhood disintegrative disorder~~

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

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

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

- 1 (A) In the home of the child;
- 2 (B) In the presence of the parent or legal guardian of the
- 3 child; and
- 4 (C) For a maximum period of twenty-five (25) hours per
- 5 week.

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

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

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

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

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

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

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

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 25 /s/K. Ingram
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