

SCR-130

Submitted on: 3/21/2022 3:19:12 PM

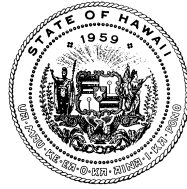
Testimony for HTH on 3/22/2022 3:20:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Elento	Individual	Support	In Person

Comments:

Aloha, I support SCR130 for my son who needs ABA but just turned 21 and is no longer eligible under Medicaid Quest only due to an arbitrary age cutoff.

My son has finally thrived with ABA the last 3 years he was provided those services. Thank you for hearing this Senate Concurrent Resolution.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on SCR130/SR114

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HUMAN SERVICES

SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON HEALTH

Hearing Date/Time: March 22, 2022
3:20PM

Room Number: 225

1 **Department Position:** The Department of Health (Department) offers the following
2 COMMENTS.

3 **Department Testimony:**

4 SCR 130/SR114 asks the Department of Health and the Department of Human Services to work
5 together to develop rules, policies, and Medicaid state plan amendments to cover services,
6 including Applied Behavior Analysis (ABA) for people aged twenty-one and older who have
7 neurodevelopmental disorders including autism spectrum disorders.

8 The Department notes that for people in Hawaii's Medicaid 1915(c) waiver for individuals with
9 intellectual and developmental disabilities operated by the Department's Developmental
10 Disabilities Division, Training and Consultation Behavior services are currently available when
11 needed by adults in the program aged twenty-one and older. These services are for the purposes
12 of completing a functional behavior analysis, developing a behavior support plan (BSP), and
13 training others in implementation of the BSP. Per Medicaid regulations, children in the 1915(c)
14 waiver under the age of twenty-one who need intensive behavioral services such as ABA
15 services, can receive those services through the Early and Periodic Screening, Diagnostic, and
16 Treatment benefit under their Medicaid QUEST Integration Health Plan.

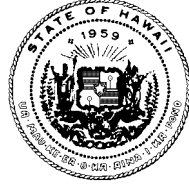
1 The Department also notes that currently, no evidence-based guidelines exist for specific use of
2 ABA to treat adults with autism. We have found Clinical Guidelines out of the United Kingdom
3 for supporting adults with autism with psychosocial interventions based on behavioral principles
4 and informed by a functional analysis of behavior, but they do not name ABA specifically, and
5 have not yet been adopted widely in the United States. Based on review of the research, there is
6 insufficient evidence that would support medical necessity for ABA for adults at this time, and
7 we are unclear how medical necessity for adults across the lifespan would be determined in
8 absence of published guidelines.

9 We offer that it would be premature for the Departments to develop rules, policies, and Medicaid
10 state plan amendments to cover services, including ABA for adults aged twenty-one and older
11 who have neurodevelopmental disorders including autism spectrum disorders in the absence of
12 published evidence-based guidelines and a full cost analysis that would allow the state to make
13 informed decisions about such a policy direction.

14 Suggested Amendments: The committees may consider amending SCR130/SR114 to ask the
15 Departments to further review the research for providing ABA services to adults.

16 **Fiscal Implications:** The Department believes there would likely be a large fiscal impact for the
17 state for enacting SCR130/SR114. A full fiscal and policy analysis is needed to evaluate impact
18 of mandating coverage of these services.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

March 21, 2022

TO: The Honorable Joy A. San Buenaventura, Chair
Committee on Human Services

The Honorable Jarrett Keohokalole, Chair
Committee on Health

FROM: Cathy Betts, Director

SUBJECT: **SCR130/SR114** – REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO JOINTLY DEVELOP AND ADOPT ALL RULES, POLICIES, AND PLAN AMENDMENTS NECESSARY FOR THE STATE MEDICAID PROGRAM TO COVER MEDICALLY-NEEDED SERVICES, INCLUDING APPLIED BEHAVIOR ANALYSIS SERVICES, FOR INDIVIDUALS AGED TWENTY-ONE AND OLDER WITH NEURODEVELOPMENTAL DISORDERS, INCLUDING AUTISM SPECTRUM DISORDER.

HEARING: Tuesday, March 22, 2022, 3:20 pm
Via Videoconference, State Capitol Conference Room

DEPARTMENT'S POSITION: The Department of Human Services (DHS) offers comments.

PURPOSE: SCR 130/SR114 asks the Department of Health and the Department of Human Services to work together to develop rules, policies, and Medicaid state plan amendments to cover services, including Applied Behavior Analysis (ABA) for people aged twenty-one and older who have neurodevelopmental disorders including autism spectrum disorders.

The waiver services for individuals with Intellectual/Developmental Disabilities are delivered by the Department of Health's Developmental Disabilities Division. While they do not

provide Applied Behavioral Analysis (ABA) per se, similar services are provided to individuals who are 21 and older.

ABA is provided for individuals under 21 through the Early Periodic Screening and Diagnostic and Treatment benefit for 0-21 aged beneficiaries served by the DHS Med-QUEST Division (MQD). ABA does have evidence of clinical effectiveness, especially for younger children. However, there are no clinical guidelines for its use in older individuals, except for some guidelines in the United Kingdom. For individuals who have a neurodevelopmental disorder, who do not meet the criteria for coverage under the I/DD program, some intensive behavioral health services may be available for them with their QUEST Integration Health Plan; however, it may not be ABA specifically.

Of note, not all medically necessary care is available for Medicaid enrollees 21 and over. For example, oral health services are considered essential for health and well-being but are currently not covered by Medicaid except for emergency care. For those non-covered services for an individual with a neurodevelopmental disorder, MQD would need to seek federal approval and request a general fund appropriation to cover the services. More analysis would be needed to develop the policy and the fiscal impact.

Thank you for the opportunity to provide comments on this resolution.



COMMITTEE ON HEALTH
Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair

COMMITTEE ON HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Les Ihara, Jr, Vice Chair

Tuesday, March 22, 2022
Conference Room 225 and Video conference

Support of S.C.R No. 130

Honorable Chair Keohokalole, Vice Chair Baker, Chair San Buenaventura, Vice Chair Ihara, and members of the committee:

The Hawai'i Association for Behavior Analysis (HABA) supports Senate Concurrent Resolution 130. We respectfully request that the Department of Health and Department of Human Services work together to develop and adopt all rules, policies and plan amendments necessary for the state Medicaid program to cover medically-needed services, including applied behavior analysis (ABA) services, for adult individuals aged twenty-one and older with neurodevelopmental disabilities, including autism spectrum disorder (ASD). For many persons with ASD, medically-needed services will be required well past the age of twenty-one. Therefore, ABA services should not be exclusive to children.

Additionally, ABA treatment has proven to be the most effective behavioral health treatment to address the medical needs of many individuals with ASD. Therefore, HABA further supports that any rules, policies and planned amendments adopted do not impair or limit any existing coverages.

Thank you for the opportunity to testify regarding S.C.R No. 130 and for all that you do to ensure that individuals with autism and neurodevelopmental disorders receive equitable access to all medically necessary services including applied behavior analysis.

Mahalo,

Ashley Hogan

Ashley Hogan, LBA #77

President, Hawai'i Association for Behavior Analysis

SCR-130

Submitted on: 3/20/2022 5:15:57 PM

Testimony for HTH on 3/22/2022 3:20:00 PM

Submitted By	Organization	Testifier Position	Testify
Paula Bailey Whitaker	Individual	Support	Written Testimony Only

Comments:

I am writing in support of SCR 130. As the parent of an adult with autism (age 23), I can testify on the importance of this resolution. Even though my son's ABA therapy was stopped at age 21, his need for the therapy continued. The inability to receive medicaid-sponsored ABA had a huge impact on his skill acquisition and retention, resulting in a reduction in language skills, social skills, and practical skills needed to hold a job.

Autism is a lifelong disability. Stopping coverage of a needed service based on age and not need is discriminatory to those with disabilities.

Thank you for allowing me to testify. I hope you will recognize the importance of this resolution, and know the positive impact it would have on families across our state.

Paula Whitaker

COMMITTEE ON HEALTH
Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair

COMMITTEE ON HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Les Ihara, Jr, Vice Chair

Tuesday, March 22, 2022
Conference Room 225 and Video conference

Support of S.C.R No. 130

Dear Chair Keohokalole, Vice Chair Baker, Chair San Buenaventura, Vice Chair Ihara, and members of the committee:

As a parent of a teenager with autism, I support Senate Concurrent Resolution 130. Our son has been fortunate to receive the medically necessary treatment including access to applied behavior analysis since he was a young child, and has made meaningful gains as a recipient of these services. However, for many individuals with ASD, medically-needed services such as ABA will be required well past the age of twenty-one to allow for them to become contributing members of their communities and live fulfilling lives that could include equal access to employment and post-secondary educational opportunities. Therefore, ABA services should not be exclusive to children.

I respectfully request that the Department of Health and Department of Human Services work jointly to develop and adopt all rules, policies and plan amendments necessary for the state Medicaid program to cover medically-needed services, including applied behavior analysis (ABA) services, for individuals aged twenty-one and older with neurodevelopmental disabilities, including autism spectrum disorder (ASD).

Additionally, ABA treatment has proven to be the most effective behavioral health treatment to address the medical needs of many individuals with ASD across the life span. Hence, I further support that any rules, policies and planned amendments adopted **do not impair or limit** any existing coverages.

Thank you for the opportunity to testify in support of S.C.R No. 130. I have gratitude for all that you do as legislators to support and ensure that individuals with autism and neurodevelopmental disorders receive equitable access to all medically necessary services including applied behavior analysis.

Sincerely,

Deborah Krekel

SCR-130

Submitted on: 3/21/2022 12:31:25 PM

Testimony for HTH on 3/22/2022 3:20:00 PM

Submitted By	Organization	Testifier Position	Testify
Amanda Bolgren	Individual	Support	Written Testimony Only

Comments:

Committee on Human Services

Senator Joy A Buenaventura, Chair

Senator Les Ihara, Jr., Vice Chair

Committee on Health

Senator Jarrett Keohokalole, Chair

Senator Rosalyn H. Baker, Vice Chair

Date: March 22, 2022

Time: 3:20pm

Place: Conference Room 225 & Videoconference

Dear Committee Chairs, Vice Chairs, and Members of the Committee

I am writing today to offer testimony in support of SCR 130 SR 114 related to the request for the state Medicaid program to cover medically-needed services, including Applied Behavior Analysis, for individuals aged 21 and older with neurodevelopmental disorders, including Autism Spectrum Disorder.

As a Licensed Behavior Analyst for the state of Hawaii, I have had the pleasure of working with clients in the age ranges of 2-24 years. The clients I have worked with past the age of 21 continue to need support with their daily life skills and accessing the community. Through systematic interventions of ABA, I have observed these clients' progress. However, those clients aged 21 or over typically either are on their parents insurance or have their own insurance to cover the needed Applied Behavior Analysis services. These types of insurance come with co-pays which can create/continue financial burdens for the families. I support the measure to extend the age of services past the age of 21 with those of neurodevelopmental disorders in the hopes of continuing to create progress with each client's much needed skill set deficits.

I appreciate the opportunity to testify in support of SCR 130 SR 114.

Sincerely,

Amanda Bolgren, MS, BCBA, LBA

COMMITTEE ON HEALTH
Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair

COMMITTEE ON HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Les Ihara, Jr, Vice Chair

Tuesday, March 22, 2022
Conference Room 225 and Video conference

Strong Support of S.C.R No. 130

Honorable Chair Keohokalole, Vice Chair Baker, Chair San Buenaventura, Vice Chair Ihara, and members of the committee:

Thank you for the opportunity to submit testimony in **strong support of SCR 130**. As proposed, this resolution would request that the Department of Health and Department of Human Services jointly develop and adopt all rules, policies, and plan amendments necessary to ensure that the State Medicaid program covers medically-necessary services, including Applied Behavior Analysis services (ABA), for individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder.

Currently, Medicaid eligible adults in need of medically-necessary ABA services are unable to access this essential service because they are over the age of 21. Additionally, there are teens/young adults who have been making progress in their ABA treatment, only to lose access to their medically-necessary ABA when they reach age 21.

Extending coverage of ABA services to Medicaid eligible adults would greatly benefit our community by creating access to needed behavioral health services and addressing this health equity issue for a vulnerable population.

Thank you,



Kristen Koba-Burd, BCBA, LBA, CDP
Maui

SCR-130

Submitted on: 3/21/2022 2:06:34 PM

Testimony for HTH on 3/22/2022 3:20:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Burdt	Individual	Support	Written Testimony Only

Comments:

I support SCR130 for expanding access to applied behavior analysis (ABA) for Medicaid eligible adults. As a former provider for adults with autism and other disabilities, I have personally experienced the significant need for access to medically-necessary ABA for this population to meet their behavioral needs.

SCR-130

Submitted on: 3/21/2022 2:09:36 PM

Testimony for HTH on 3/22/2022 3:20:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeanette White	Individual	Support	Written Testimony Only

Comments:

Aloha!

Twenty-one is not a magic number that one day a person wakes up and instantly does not need extra support. For some, support is needed beyond the age of twenty-one years and this will help them toward the goal of living as independently as possible.

Thank you,

Jeanette White

LATE

SCR-130

Submitted on: 3/22/2022 6:00:45 AM

Testimony for HTH on 3/22/2022 3:20:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelly Headrick	Testifying for Autism Speaks	Support	Written Testimony Only

Comments:

I apologize that this is being submitted less than 24 hours ahead of the hearing; I just saw the bill in my tracker. Applied behavior analysis is an evidence-based therapy for autism and, along with other medically necessary services when prescribed by a health care professional for an individual, can make a world of difference to the person being able to achieve their potential for things like employment, independent living, or even just self-care. Autism Speaks strongly supports this resolution and would be happy to be of service to the Departments of Health and Human Services. Thank you.

SCR-130

Submitted on: 3/21/2022 5:09:52 PM

Testimony for HTH on 3/22/2022 3:20:00 PM



Submitted By	Organization	Testifier Position	Testify
Jill White	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill. My 15-year-old son has severe non-verbal autism. ABA has been life-changing for him! It takes medical and behavioral interventions to support people with Autism Spectrum Disorder. We all have a lifelong opportunity to keep learning and improving yet school services stop at 21 yrs old. These adults have a long way to go in their lives and need this support to lead productive lives.

Mahalo,

Jill White