

DEPT. COMM. NO. 50

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE DEPUTY SUPERINTENDENT

October 29, 2024

The Honorable Ronald D. Kouchi, President
and Members of the Senate
415 South Beretania Street
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker
and Members of the House of Representatives
415 South Beretania Street
State Capitol, Room 431
Honolulu, Hawaii 96813

Re: Hawaii State Department of Education Annual Report on Autism Spectrum Disorder
and Applied Behavior Analysis

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, a copy of the annual Autism Spectrum Disorder and Applied Behavior Analysis report is being transmitted, pursuant to Act 205, Session Laws of Hawaii 2018, as amended by Act 166, Session Laws of Hawaii 2023. In accordance with Section 93-16, Hawaii Revised Statutes, the report may be viewed electronically at:
<https://www.hawaiipublicschools.org/VisionForSuccess/SchoolDataAndReports/StateReports/Pages/Legislative-reports.aspx>

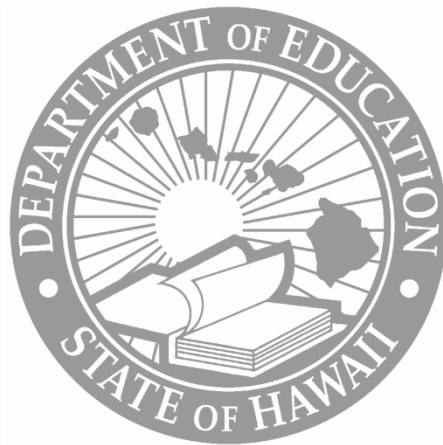
Should you have any questions, please contact Ken Kakesako, Director of the Policy, Innovation, Planning and Evaluation Branch, Office of Strategy, Innovation, and Performance, via email at ken.kakesako@k12.hi.us or by phone at (808) 282-3430.

Sincerely,

Tammi Oyadomari-Chun
Deputy Superintendent of Strategy

TOC:ak
Attachment

c: Legislative Reference Bureau
Hawaii State Public Library System
University of Hawaii at Manoa
Office of Strategy, Innovation, and Performance
Office of Student Support Services



State of Hawaii
Department of Education

Annual Report on Autism Spectrum Disorder and Applied Behavior Analysis

October 2024

Act 166, Session Laws of Hawai'i 2023, requires the Hawai'i State Department of Education to provide an annual report on students diagnosed with autism spectrum disorder, students requiring applied behavior analysis, staffing updates, Medicaid reimbursement figures, and a licensure update.

Introduction

Act 166, Session Laws of Hawai'i 2023, amends the reporting period from quarterly to annually under Act 205, Session Laws of Hawai'i 2018.

This report to the Legislature and the Hawai'i State Board of Education is in accordance with the reporting requirements of Act 166, Session Laws of Hawai'i 2023.

1) The number of students eligible for special education and related services under the category of Autism Spectrum Disorder (ASD) who have an individualized education program

The number of students currently eligible for the Individuals with Disabilities Education Act (IDEA) services under the category of ASD is 2,686 students.

2) The number of students requiring applied behavior analysis

Within the Hawai'i State Department of Education (Department), approximately 829 students receive applied behavior analysis (ABA) services as determined by their individualized education program (IEP) team; 621 are eligible for IDEA services under the ASD category.

3) Staffing updates and needs

New behavior analytic positions have been established throughout the Department. These include Behavior Technician, Behavior Analyst, and Behavior Analyst Teacher positions.

Department employees in Behavior Technician positions	118
Department employees in Behavior Analyst positions	35
Department employees in Behavior Analyst Teacher positions	17
Licensed psychologists doing ABA work	2
Contracted ABA Paraprofessionals/Registered Behavior (full-time and part-time) Technicians Credentialed under State ABA Contract	839
Licensed Behavior Analysts and Board Certified Assistant Behavior Analysts (full-time and part-time) Credentialed under State ABA Contract	123

4) Medicaid reimbursement schedules and amounts

Gross Medicaid Reimbursement Total by State Fiscal Year

FY	Direct Services Claiming	Administrative Claiming
2023	\$3,675,911	\$1,596,210
2024	\$2,279,015	\$2,943,664

The Department's School-Based Medicaid Claiming Program (SBMCP) continues to receive Medicaid reimbursement for direct services claiming for IEP related nursing services and administrative claiming. For the State Fiscal Year (FY) 2023, SBMCP received a gross Medicaid reimbursement of \$5,272,121 combined. For the FY 2024, SBMCP received a gross Medicaid reimbursement of \$5,222,680 in combined claiming.

The SBMCP continues to implement and expand its program initiatives towards full implementation of its mission to maximize Medicaid reimbursement for eligible SBMCP-related services and supporting administrative activities.

The Department has been engaging regularly with the Hawai'i State Department of Human Services' MedQUEST Division (MQD) to understand and meet the requirements for successful ABA claims. MQD has issued a provider memo stating that school-based services must meet the same compliance standards as hospitals, clinics, and other healthcare institutions. This poses a significant challenge for the Department, as it operates in an educational setting, which is distinct from the healthcare environments these standards were designed for.

In response, the Department has adjusted its infrastructure and staff training to ensure compliance. It has also captured the necessary documentation and service logs, as outlined by MQD, to begin submitting ABA reimbursement claims by October 31, 2024. These initial test claims will allow MQD to conduct a pre-audit to verify the accuracy and compliance with state and federal requirements and to check the interoperability of the Department's systems with those of the University of Massachusetts and MQD. After passing this audit process, the Department will proceed with regular ABA reimbursement claims.

Recognizing the challenges imposed by these compliance requirements, the Department is advocating for the introduction of legislation that would provide greater flexibility for school-based claiming, similar to measures adopted by other states. These states have successfully implemented tailored Medicaid claiming processes that recognize the differences between educational settings and healthcare institutions. Such legislation would allow Hawai'i's schools to meet accountability standards without being burdened by requirements designed for medical providers, thereby reducing strain on the Department's resources.

The main challenge lies in adapting complex healthcare compliance requirements to a school-based setting. By following the example of other states that have introduced flexible claiming processes for schools, Hawai'i can ensure that its Department is positioned to meet both educational and Medicaid obligations efficiently.

5) Licensure updates; and

ABA services continue to be provided by licensed professionals and those qualified to provide services under their supervision.

6) Any other information pertinent to the implementation of this Act

The Department currently has a statewide contract with 18 ABA provider agencies to ensure students have access to ABA services.