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H.B. 159
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Lipps

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SUMMARY

- Requires the Ohio Department of Medicaid (ODM) to submit an annual report to the General Assembly regarding access to applied behavior analysis for children enrolled in Medicaid who have been diagnosed with autism spectrum disorder.
- Requires ODM to develop education and outreach materials regarding services for children with autism spectrum disorder

DETAILED ANALYSIS

Applied behavior analysis report

The bill requires the Ohio Department of Medicaid (ODM) to compile and submit a report to the General Assembly regarding access to applied behavioral analysis for enrolled children with autism spectrum disorder. Current law defines applied behavior analysis as the design, implementation, and evaluation of environmental modifications, using behavior stimuli and consequences, to produce socially significant improvement in behavior. It includes the use of direct observation, measurement, and functional analysis of the relationship between an individual's environment and behavior.¹

Content

The bill requires the report to include data from the immediately preceding fiscal year. The data in the report must be organized by current procedural terminology (CPT) code, including all applied behavior analysis category I and III CPT codes.² The bill requires ODM to

¹ R.C. 3923.84(F)(1), not in the bill.

² R.C. 5162.137(B).

make every effort to collect any information necessary from applied behavior analysis providers and Medicaid enrollees.³

The report must include the following information:⁴

- The number of certified behavior analysts practicing in Ohio who are Medicaid providers, including both board certified behavior analysts (BCBAs) and certified Ohio behavior analysts;
- The number of Medicaid enrollees who are children with autism spectrum disorder and received applied behavior analysis;
- The number of Medicaid enrollees who are children with autism spectrum disorder and had applied behavior analysis recommended by the child's health care provider but did not receive it;
- The number of prior authorization requests for applied behavior analysis that were denied and the number of appeals resulting from those denials and partial denials;
- The median number of applied behavior analysis hours both (1) recommended and (2) received by child enrollees with an autism spectrum disorder diagnosis who were approved for and received applied behavior analysis, but did not receive the number of hours recommended by the child's health care provider;
- The median number of applied behavior analysis hours both (1) recommended and (2) covered by child enrollees with an autism spectrum disorder diagnosis who were approved for and received applied behavior analysis, but for whom the Medicaid program covered fewer hours than were recommended by the child's health care provider;
- Recommendations to improve the network of applied behavior analysis providers who are Medicaid providers;
- Other recommendations to improve access to applied behavior analysis.

The bill requires ODM to submit the report by December 31 each year, beginning the year after the bill's effective date.⁵

Education and outreach materials

The bill requires ODM to develop education and outreach materials that inform and educate parents and legal guardians of children with an autism spectrum disorder diagnosis about relevant services for which those children are eligible and explain how to access those services.⁶

³ R.C. 5162.137(C).

⁴ R.C. 5162.137(B).

⁵ R.C. 5162.137(A).

⁶ R.C. 5162.137(D).

HISTORY

Action	Date
Introduced	04-25-23
