

5160-34-01

Intensive Behavioral Services for Children with Autism.

This rule sets forth definitional information and eligibility criteria for the children's intensive behavioral services (CIBS) interventions for medicaid covered children under the age of twenty-one who have been diagnosed with an autism spectrum disorder (ASD).

(A) The following definitions apply to this rule:

- (1) "Assessment" means a functional behavior assessment as defined in rule 4783-3-01 of the Administrative Code.
- (2) "Intervention" is an action taken to improve individual behaviors through methods based in scientific research, evidence-based practices, and published research and designs.
- (3) "General supervision" means that the supervising provider is available by telephone to provide assistance and direction if needed by the supervisee.
- (4) "Training" is an intervention focused on assisting the family, guardian and other individuals essential to the treatment of the CIBS eligible individual to use tools and gain the skills necessary for carrying out the behavioral interventions identified in the individual's treatment plan.

(B) For the purposes of this rule, CIBS consists of the following components:

(1) Assessment.

- (a) Assessments must meet the criteria set forth in paragraph (N) of rule 4783-3-01 of the Administrative Code.
- (b) All assessments require a signed order from a pediatrician or practitioner whose scope of practice includes the diagnosis and treatment of ASD.
- (c) Assessments include the development of a treatment plan and must have a clinical focus to assess behaviors which interfere with typical development. Tools to assess skills and behavior may be utilized and include, but are not limited to:
 - (i) The Assessment of Basic Language and Learning Skills (ABLLS);
 - (ii) The Verbal Behavior Milestones Assessment and Placement Program (VB-MAPP); or
 - (iii) The Behavior Assessment System for Children, Second Edition (BASC-2).
- (d) Assessments shall be conducted and treatment plans shall be developed only by practitioners who meet the qualifications stated in paragraph

(D)(1) of this rule.

(e) Subsequent assessments may be completed based on the CIBS eligible individual's needs. If a new treatment plan is developed, a new prior authorization must be submitted and approved before interventions under the new treatment plan may begin.

(2) Treatment plan.

(a) The individual who developed the treatment plan shall be responsible for the implementation of the treatment plan regardless of the location of service provision.

(b) The treatment plan must include established behavior analytic intervention and training methods proven to be effective, such as Applied Behavior Analysis (ABA), which meet generally accepted standards of practice used in the treatment of ASD.

(c) At a minimum, the treatment plan shall include the following:

(i) Criteria set forth in paragraph (O) of rule 4783-3-01 of the Administrative Code;

(ii) Specific interventions and training methods developed to address the needs identified in the assessment;

(iii) Medical diagnosis of autistic disorder, childhood disintegrative disorder, Asperger's syndrome, or a pervasive developmental disorder; and

(iv) The signatures of the practitioner responsible for implementing the treatment plan and the signature of the parent or guardian involved in the care of the individual receiving CIBS.

(3) Interventions may be provided in an individual, family or group setting and shall:

(a) Be focused on achieving the goals and addressing the needs identified in the treatment plan for the CIBS eligible individual;

(b) Only be provided after an assessment has been performed and a treatment plan has been developed;

(c) Be rendered by eligible practitioners according to the requirements stated in this rule;

(d) Be approved through prior authorization from the Ohio department of

medicaid (ODM) or its designee prior to rendering the initial or subsequent interventions under this rule. The documentation provided for the prior authorization request must support the medical necessity of the services requested.

(4) Training is an intervention that may be provided with or without the child present and shall:

(a) Be child-centered and focused on training the family, guardian, or other individuals essential to the treatment of the CIBS eligible individual in developing the skills needed to address the ongoing needs of the CIBS eligible individual;

(b) Assist the family, guardian, or other individuals essential to the treatment of the CIBS eligible individual to carry out behavior analytic interventions based on evidence-based practices, published research and designs; and

(c) Include instruction in behavior interventions to the family, guardian or other individuals essential to the treatment of the CIBS eligible individual.

(C) Medicaid recipient eligibility for CIBS. A medicaid recipient is eligible to receive CIBS when all of the following are met:

(1) The recipient is under the age of twenty-one;

(2) The recipient lives in a community setting;

(3) The recipient has a diagnosis of autistic disorder, childhood disintegrative disorder, Asperger's syndrome, or a pervasive developmental disorder as diagnosed by a practitioner whose scope of practice includes the diagnosis of ASD; and

(4) The completed assessment identifies the need for interventions as defined in this rule.

(D) Eligible practitioners.

(1) The following practitioners may conduct assessments, render CIBS interventions and training, and supervise practitioners if applicable and consistent with their scope of practice, education, training, and experience:

(a) A psychologist licensed by the Ohio board of psychology and practicing according to agency 4732 of the Administrative Code;

(b) A licensed professional clinical counselor (LPCC), licensed independent

social worker (LISW), or licensed independent marriage and family therapist (LIMFT) licensed by the Ohio counselor, social worker, and marriage and family therapist (CSWMFT) board and practicing according to agency 4757 of the Administrative Code.

(c) A certified Ohio behavioral analyst (COBA) certified by the Ohio board of psychology and practicing according to agency 4783 of the Administrative Code.

(d) A professional medical group consisting of practitioners described in paragraphs (D)(1)(a) to (D)(1)(c) of this rule and which may also include practitioners described in paragraph (D)(2) of this rule.

(e) An outpatient hospital utilizing practitioners described in paragraphs (D)(1)(a) to (D)(1)(c) of this rule and which may also include practitioners described in paragraph (D)(2) of this rule;

(f) A medicaid school program operating in accordance with Chapter 5160-35 of the Administrative Code employing or contracting with at least one of the following:

(i) A provider who meets the qualifications found in paragraphs (D)(1)(a) to (D)(1)(c) of this rule; or

(ii) A school psychologist licensed by the Ohio board of psychology and practicing according to rule 3301-24-05 of the Administrative Code and agency 4732 of the Administrative Code.

(2) The following practitioners may only render the interventions and training set forth in the treatment plan of a CIBS eligible individual as applicable within their scope of practice and consistent with their education, training, and experience:

(a) A licensed professional counselor (LPC), licensed social worker (LSW), or marriage and family therapist (MFT) licensed by the Ohio CSWMFT board and practicing according to agency 4757 of the Administrative Code. Such practitioners must:

(i) Work under the general supervision of one of the providers described in paragraphs (D)(1)(a) to (D)(1)(c) of this rule or paragraph (D)(1)(f)(ii) of this rule; and

(ii) Be trained regarding the implementation of the treatment plan by the supervisor.

(b) A trainee, assistant, or intern who is acting on the license of and working under the general supervision of one of the providers described in

paragraphs (D)(1)(a) and (D)(1)(b) of this rule or paragraph (D)(1)(f)(ii) of this rule and is registered with the appropriate licensing board as a trainee, assistant, or intern as applicable.

(c) A paraprofessional who is not otherwise designated as a practitioner or supervisor under this rule must meet the following:

(i) Educational requirements. The paraprofessional shall:

(a) Be working toward a bachelor's degree or possess at least a bachelor's degree in psychology, special education, or a related discipline;

(b) Possess an associate's degree in psychology, special education, or a related discipline; or

(c) Possess the registered behavior technician (RBT) credential as granted by the behavior analyst certification board.

(ii) Other requirements. The paraprofessional shall:

(a) Work under the general supervision of one of the providers found in paragraphs (D)(1)(a) to (D)(1)(c) of this rule or paragraph (D)(1)(f)(ii) of this rule;

(b) Have documented evidence of receiving formal training or instruction in one or more treatment modalities used for individuals with ASD, and demonstrate, prior to or within thirty days of hire, competencies in performing the activities associated with the modality used in the treatment of the child;

(c) Have experience providing one-on-one behavior-focused interventions for individuals with a developmental delay or disability; and

(d) Be trained regarding the implementation of the treatment plan by the supervisor.

(E) Services and activities not reimbursable under CIBS include, but are not limited to:

(1) Services not identified in the approved treatment plan;

(2) Experimental behavioral methods or models;

(3) Services including nonhuman elements, including animal therapy;

- (4) Sex therapy, psychoanalysis, or hypnotherapy;
- (5) Education and related services as described by the individuals with disability education act (IDEA);
- (6) Vocational services that are otherwise available to the child through a program funded under Section 110 of the Rehabilitation Act of 1973; or
- (7) Services required as a component of adult day care programs.

(F) Limitations.

- (1) A maximum of four hours of assessments are allowed per calendar year. This limit may be exceeded if medically necessary through prior authorization.
- (2) A provider of CIBS, who is a family member or guardian of the CIBS eligible individual, shall not be reimbursed for services under this rule.
- (3) Community psychiatric supportive treatment (CPST) is not reimbursable when an individual is receiving CIBS interventions as part of an approved treatment plan.
- (4) CIBS interventions are not reimbursable under therapeutic behavioral services (TBS) and psychosocial rehabilitation (PSR).
- (5) Any service provision limits and prior authorizations required by this rule are not service location specific, but rather shall apply to the CIBS eligible individual's entire treatment program.

(G) Reimbursement. Intervention and training services shall be paid according to the following methodology:

- (1) One hundred per cent of the rate will be paid when the service is rendered by a practitioner described in paragraph (D)(1)(a) of this rule.
- (2) Eighty-five per cent of the rate will be paid when the service is rendered by a practitioner described in paragraphs (D)(1)(b) and (D)(1)(c), paragraph (D)(1)(f)(ii) of this rule and paragraph (D)(2)(a) of this rule.
- (3) Sixty-five per cent of the rate will be paid when the service is rendered by a practitioner described in paragraph (D)(2)(b) and (D)(2)(c) of this rule.

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Certification

Date

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