

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) "Direct supervision" means a supervising provider who is immediately available in person to provide assistance and direction to the supervisee throughout the rendering of the service but is not required be present in the room where the supervisee is.
- (4) "General supervision" means that the supervising provider is available by telephone to provide assistance and direction if needed by the supervisee.
- (5) "Training" is an intervention focused on assisting the family or guardians 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 Administrative Code rule 4783-3-01;
- (b) All assessments require a signed order from a 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).

(2) Treatment plan.

- (a) The individual who developed the treatment plan shall be responsible for the implementation of the treatment plan.
- (b) The treatment plan must include behavior analytic intervention methods proven to be effective, such as Applied Behavior Analysis (ABA), to address what was identified in the assessment.
- (c) At a minimum, the treatment plan shall include the following:
 - (i) Criteria set forth in paragraph (O) of Administrative Code rule 4783-3-01;
 - (ii) Medical diagnosis identifying one of the following autism spectrum disorders (ASD): autistic disorder, childhood disintegrative disorder, Asperger's syndrome, or a pervasive developmental disorder; and
 - (iii) The signatures of the practitioner responsible for implementing the treatment plan and the signatures of the parents or guardians involved in the care of the individual receiving CIBS services.

(3) Interventions.

- (a) Interventions may be provided in an individual, family or group setting.
- (b) Interventions must be focused on achieving the goals and addressing the needs identified in the treatment plan for the CIBS eligible individual.
- (c) Interventions shall only be provided after an assessment has been performed and a treatment plan has been developed.
- (d) Interventions must be rendered by eligible practitioners under this rule.
- (e) Additional interventions may be requested through prior authorization and approved by ODM or its designee. The prior authorization request must include a new assessment and copy of the treatment plan that meets the above criteria.

(4) Training.

- (a) Training may be provided with or without the child present.
- (b) Training must be child-centered and focused on training the family or

guardians in developing the skills needed to address the ongoing needs of the CIBS eligible individual.

(c) Training must assist the family or guardians to carry out behavior analytic interventions based on evidence-based practices, published research and designs.

(d) Training must include instruction in behavior interventions to the family or guardians and other supportive caregivers.

(C) Medicaid recipient eligibility for CIBS. A medicaid recipient is eligible to receive the interventions component of CIBS when all 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 and treatment of ASD.

(4) The completed assessment identifies the need for interventions under this rule.

(D) Eligible practitioners.

(1) Practitioners of CIBS must hold a current provider agreement with the Ohio department of medicaid or be employed by or contracted with a provider who holds a current provider agreement.

(2) The following practitioners may conduct assessments, render CIBS interventions, and supervise practitioners if applicable and consistent with 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 providers who meet the requirements in paragraph (D)(2)(a) to (D)(2)(c) of this rule.
- (e) 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 meeting the qualifications found in paragraphs (D)(2)(a) to (D)(2)(c) of this rule; or
 - (ii) A school psychologist licensed by the Ohio board of psychology and practicing according to rule 3301-24-05 and agency 4732 of the Administrative Code.
- (3) The following practitioners may only render the interventions 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 licensed (MFT) 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 found in paragraphs (D)(2)(a) to (D)(2)(c) of this rule; and
 - (ii) Be trained regarding the implementation of the treatment plan by the supervisor.
 - (b) A paraprofessional who possesses at least a bachelor's degree in psychology, special education, or a related discipline. Such practitioners must:

 - (i) Work under the direct supervision of one of the providers found in paragraphs (D)(2)(a) to (D)(2)(c) of this rule; or
 - (ii) If acting on the license of and working under the direct supervision of one of the providers found in paragraphs (D)(2)(a) to (D)(2)(e) of this rule, the paraprofessional must be registered with the appropriate licensing board as a trainee, assistant, or intern as applicable; or
 - (iii) If operating under the medicaid school program, be supervised by a school psychologist as defined in paragraph (D)(2)(e)(ii) of this rule; and

- (iv) Have documented evidence of receiving formal instruction in social and behavioral interventions for children with autism spectrum disorder;
- (v) Have experience providing one-on-one behavior-focused interventions for individuals with a developmental delay or disability;
- (vi) Have received training in CIBS recipient-specific techniques from the supervisor; and
- (vii) Have been 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 consecutive twelve month period. 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).

(G) Reimbursement. Intervention 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 provider found in paragraph (D)(2)(a) of this rule.
- (2) Eighty-five per cent of the rate will be paid when the service is rendered by a provider found in paragraphs (D)(2)(b) to (D)(2)(e) and paragraph (D)(3)(a) of this rule.
- (3) Sixty-five per cent of the rate will be paid when the service is rendered by a provider found in paragraph (D)(3)(b) of this rule.

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Certification

Date

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