

Autism Society of Texas

300 E. Highland Mall Blvd, Ste 205,
Austin, TX 78752



HHSC Must Implement Rider 32 Medicaid IBI/ABA Services Benefit

What is the Texas Medicaid IBI benefit?

Rider 32 was passed into law during the 86th Texas Legislative Session in 2019 as part of the State of Texas budget (HB 1) for the years 2020 - 2021. **This Rider provides legislative directive and intent for HHSC to add a Medicaid benefit for Intensive Behavioral Intervention (IBI) for children with autism under the age of 20.** IBI is another term for Applied Behavioral Analysis (ABA) that was created to distinguish the existing Children's Autism Program (CAP) from ABA therapies.

In addition, the Rider also specifies that the funds for the program may be used from the Children's Medicaid Program, a large pool of funds of over \$5.5 billion. At this time, **HHSC estimates needing approximately \$8 million dollars to implement the program this budget cycle** (ends August 31st 2021).

Why hasn't HHSC implemented the program?

HHSC was making swift progress on the implementation of this critical therapy program during the fall of 2019. Since then, the proposed rate hearing in December 2019 was cancelled, and all progress has stopped. The most recent communication was a statement at the public meeting of the Texas Autism Council on July 29, 2020. HHSC leadership provided the chair of the committee with a written statement that was read to the Council: "HHSC is assessing the implementation timeline in light of COVID-19 response activities."

Families with autistic children were devastated to hear this unexpected and shocking message. And advocates who have worked tirelessly for several years still remain unsure why a process that was on track to serve families in the spring of 2019 was abruptly halted without any meaningful or informative communication to stakeholders.

Of course COVID-19 has affected everything in all of our lives, but other internal operations including rule adoptions, advisory committee meetings, and many other functions at HHSC are now fully operational. We believe COVID-19 should no longer be a factor in the implementation of this benefit.

As of August 2020, HHSC has not released the rules for the program, has not set reimbursement rates for therapists, or set up a program to credential potential providers who could provide these therapies. The continued delay in implementing the mandated ABA Medicaid benefit negatively impacts tens of thousands of children in our state. Therefore,

HHSC must immediately implement Rider 32, the Medicaid IBI/ABA Services Benefit, to support families who desperately need these intensive, life-changing therapies.