Indiana State Department of Health
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Mitchell E. Daniels, Jr.
Governor

Judith A. Monroe, M.D.
State Health Commissioner

DATE: May 7, 2009

TO: Executive Board
Indiana State Department of Health

FROM: JoEllen (Joey) Vrazel, Ph.D., Assistant Commissioner
Health and Human Services Commission

SUBJECT: Adoption of Emergency Rule to require changes re: autism and travel to the Children's Special Health Care Services ("CSHCS") Program, 410 IAC 3.2

The Indiana State Department of Health (ISDH) Commission of Health and Human Services respectfully requests the Executive Board, at the Board's May 13, 2009 meeting, adopt this emergency rule to require changes to the Children's Special Health Care Program involving autism as a covered service and the treatment of autism and travel reimbursement. This emergency rule would go into effect on July 1, 2009, and would run for ninety (90) days.

The program is faced with reductions in available funding and has had to curb spending expenditures for its services, which resulted in these proposed amendments to the rule aimed at cutting increasing costs in non-core areas of the program. The Indiana Code specifies that autism is a coverable condition, but these changes will add a definition of "autism" to the rule, for clarification, and will add "autism" to the list of eligible medical conditions. The definition for "therapy" will be broadened to include Applied Behavioral Analysis (ABA) for treatment of autism, and coverage for ABA therapy services will be capped at a payment of $10,000 per participant, per year. Additionally, travel reimbursement will be changed so that the first forty-nine miles per trip are never paid, and once a family travels 50 miles, the payment rate will be at 50% of the state travel reimbursement rate.

Indiana Code allows the ISDH, through the rulemaking process, to adopt rules concerning medical eligibility and the types of care, services, and materials that ISDH will reimburse under the program. The ISDH has initiated the rulemaking process to make the above changes in a permanent rule. This emergency rule is necessary, at a time of continued reductions in available funding for the program, to cover the interim period until a final rule can be promulgated.