

Emergency Rule
LSA Document #09-707(E)

DIGEST

Temporarily adds rules to clarify autism as an eligible condition and to set a maximum payment for applied behavioral therapy analysis for treatment of autism under the Children's Special Health Care Services Program and amends the travel reimbursement for program participants. Authority: [IC 4-22-2-37.1](#); [IC 16-19-3-4](#); [IC 16-35-2-7](#). Effective September 29, 2009.

SECTION 1. **The definitions in this document apply throughout this document.**

SECTION 2. **"Autism" means a medical condition classified under Diagnostic Statistical Manual of Mental Disorders, Fourth Edition, Washington, American Psychiatric Association, 1994, pages 70 and 71, code 299.00. Related conditions, such as Rett's Disorder, Childhood Disintegrative Disorder, Asperger's Disorder, or other Pervasive Developmental Disorders, are not included in this definition.**

SECTION 3. **"Therapy" means physical therapy, occupational therapy, speech and hearing therapy, nursing, and other professional health care services provided by an approved provider and necessary to treat a child's eligible medical condition. This includes Applied Behavioral Analysis for the treatment of autism.**

SECTION 4. **For a child not enrolled in the program as of December 31, 1992, autism is an eligible medical condition for the Children's Special Health Care Needs Program.**

SECTION 5. **Payment of Applied Behavioral Analysis as a therapy service included in the health care package is limited to a maximum of ten thousand dollars (\$10,000) per year, per participant.**

SECTION 6. **Autism is classified as a Level I eligible medical condition.**

SECTION 7. **A child or family shall not be reimbursed for the first forty-nine (49) miles of travel per trip. Once a child or family travels fifty (50) miles or more per trip, the director shall reimburse the child or family at a rate of fifty percent (50%) of the state travel reimbursement rate established by the department of administration and approved by the state budget agency.**

SECTION 8. **SECTIONS 1 through 7 of this document take effect September 29, 2009.**

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