

# STATE OF INDIANA

## EXECUTIVE DEPARTMENT INDIANAPOLIS

EXECUTIVE ORDER 25-31

**FOR: ASSURING PRUDENT USE OF TAXPAYER FUNDS BY  
EVALUATING APPROPRIATE PROVISION OF ABA SERVICES**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

**WHEREAS,** early treatment for autism, especially for those under eighteen (18) years of age, is important for proper intervention and can ultimately reduce the amount of difficulties for the children when moving forward;

**WHEREAS,** a commonly used therapy for early treatment and therapy to manage autism symptoms is applied behavior analysis (“ABA”), which is utilized by Hoosier Medicaid patients, among others;

**WHEREAS,** the State of Indiana’s total Medicaid payments for ABA in 2017 was fourteen million four hundred thousand dollars (\$14,400,000), and this increased in 2019 to one hundred twenty million dollars (\$120,000,000);

**WHEREAS,** the State of Indiana’s projected Medicaid payments for ABA in calendar year 2026 is six hundred forty-five million dollars (\$645,000,000) to serve over eight thousand (8,000) Hoosier children;

**WHEREAS,** the United States Office of Inspector General conducted an audit of the State of Indiana's payments for ABA for 2019 and 2020 to understand why there was such a large increase in payments;

**WHEREAS,** the audit found that the State of Indiana made at least thirty-nine million dollars (\$39,000,000) in improper Medicaid payments for ABA;

**WHEREAS,** the improper payments were largely due to issues with provider credentialing, a lack of necessary evaluations and referrals, and insufficient or missing documentation; and

**WHEREAS,** parents wanting to access affordable ABA therapy services for their children face a lack of commercial insurance coverage, cost-prohibitive services, or insurance using prior authorization to deny care.

**NOW, THEREFORE, I, MIKE BRAUN,** by virtue of the authority vested in me as the Governor of the State of Indiana, do hereby order that:

1. The Secretary of Family and Social Services Administration, in collaboration with the Secretary of the Department of Education shall organize a working group to evaluate cost containment strategies that minimize the negative impact felt by ABA enrollees and their families.
2. The working group should include legislators, stakeholders, and impacted families; involve a cross-section of subject matter experts from the Office of Medicaid Policy and Planning, the Department of Education, First Steps, and the Department of Child Services; and include input from parents, physicians, and ABA therapy providers.
3. The working group shall evaluate:
  - a. the best clinical care models to provide the right therapy, at the right ages, in the right setting, to best serve children and families;

- b. recommendations for a better coordinated experience for children who need ABA therapy services, but in a financially sustainable manner;
  - c. proper transitions for children as they grow in their educational, family and social settings;
  - d. quality metrics for ABA therapy services;
  - e. potential caps on hours of therapy services provided per week;
  - f. potential caps on the number of months a child can receive therapy services;
  - g. Creating an appeals process for extenuating circumstances; and
  - h. Establishing new provider enrollment and billing requirements for ABA providers to address issues identified in the federal audit.
4. The working group evaluation shall be completed by September 30, 2025, with a written report provided to the Governor by November 30, 2025, that includes three recommendations for meaningful ABA cost containment. The report should discuss advantages and disadvantages for each recommendation.



IN TESTIMONY WHEREOF, I,  
Mike Braun, have hereunto set my hand  
and caused to be affixed the Great Seal  
of the State of Indiana on this 18th day  
of February, 2025.

*Mike Braun*  
Mike Braun Governor of Indiana

*DIEGO MORALES*

ATTEST: Diego Morales  
Secretary of State