

2016 State Autism Profiles ARKANSAS

DEMOGRAPHICS

In 2000, 766 or 1.23% of children ages 3-21 who received special education services in Arkansas have autism. In 2014-2015, 4,078 or 6.12% of children with disabilities ages 3-21 who received special education services have autism.

Table 1-1: IDEA Part B - Children with Autism in Arkansas for 2000-2001 and 2014-2015
(Child Count by Age Group)

	2000-2001	2014-2015
Age 3-5	95	300
Age 6-21	671	3,778
Age 3-21	766	4,078

Source: Reported by the State of Arkansas in accordance with Section 618 of IDEA to U.S. Department of Education, Office of Special Education Programs

Table 1-2: IDEA Part B - Children with Disabilities in Arkansas for 2000-2001 and 2014-2015
(Child Count by Age Group)

	2000-2001	2014-2015
Age 3-5	9,387	12,881
Age 6-11	24,159	27,050
Age 12-17	25,967	23,997
Age 18-21	2,736	2,693
Age 6-21	52,862	53,740
Age 3-21	62,249	66,621

Source: Reported by the State of Arkansas in accordance with Section 618 of IDEA to U.S. Department of Education, Office of Special Education Programs

STATE TASK FORCE

Arkansas Legislative Task Force on Autism

In April 2009, Governor Mike Beebe signed into law S.B. 938, creating a new statewide legislative task force on autism. Under the law, the Arkansas Legislative Task Force on Autism meets at least once every three months to examine the state's response to autism spectrum disorders, determine best practices, and make recommendations pertaining to efficient treatment methods, obtaining funds for treatment, and changes to the law that will improve education and treatment for those with autism spectrum disorders. The task force is composed of legislative officials, representatives from state agencies, educators, healthcare providers, members of the public, and other professionals with an interest in autism. The Task Force will report to the General Assembly on or before August 31st of each year. (*Arkansas Code §§ 10-3-2602, 10-3-2603*) This task force is similar to the previous task force on autism, which was created in 2007 and adjourned in 2008. Their most recent report was filed in August 2015.

<http://www.arkleg.state.ar.us/bureau/research/Publications/Task%20Forces/Legislative%20Task%20Force%20on%20Autism/Autism%20Task%20Force%20Annual%20Reports%20to%20ALC%20and%20Task%20Force%20Meeting%20Summaries/2015%20Autism%20Task%20Force%20Annual%20Report%20to%20ALC.pdf>

STATE INSURANCE COVERAGE

In the 2011 session the Arkansas legislature passed H.B. 1315, now Act 196, 2011 mandating insurance coverage for diagnosis and treatment of Autism Spectrum Disorder. Under this law health plans are required to provide, without limitation, pharmaceutical care, psychiatric care, psychological care, therapeutic care, and equipment determined necessary to provide evidence based treatment. Applied Behavior Analysis would have a \$50,000 annual limit and be limited to children under the age of 18 years old. The law specifies that on or after January 1, 2014, to the extent that the provisions require benefits that exceed the essential health benefits specified under the federal Affordable Care Act, the benefits that exceed the essential health benefits shall not be required of a health benefit plan when the plan is offered

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by a health care insurer in the state through the state medical exchange. This legislation was signed into law on March 4, 2011. (*Arkansas Code §23-99-418*)

Arkansas also has mental health parity legislation. Such legislation requires that if a plan provides coverage for a mental illness then it must do so under the same terms and conditions as for any other medical illness or condition. The coverage is for treatment of mental illnesses, as defined in the International Classification of Diseases and the Diagnostic and Statistical Manual of Mental Disorders.

ESSENTIAL HEALTH BENEFITS

Autism services including applied behavior analysis (ABA) are mandated in Arkansas and they must be offered in plans on the Affordable Care Act exchange. ABA is included in the benchmark plan under a new separate essential health benefit, rather than the ten essential health benefit categories in the ACA. The exchange is being run by the federal government. (HMO Partners, Inc.; Open Access POS, 13262AR001)

MEDICAID

Arkansas Autism Partnership, a Medicaid waiver program

The Arkansas autism waiver targets children with a diagnosis of autism from a physician, psychologist, and speech-language pathologist who are between 18 months and seven years. The program provides intensive home-based intervention using evidence-based strategies and can be provided for a maximum of 30 hours per week for no longer than a three-year period. The services are delivered by a tiered team – consultant (Masters Level), lead therapist (Bachelors Level), line therapist (paraprofessional level) – who are hired by community-based non-profit organizations who are certified to participate in the program. The program began accepting applications September 1, 2012 and program initiation began October 1, 2012. The waiver was set to expire September 30, 2015 but is still in effect.

In 2015, the legislature passed and the governor signed S.B. 952, which became Act 1008, to require the Department of Human Services to apply to the Center for Medicare and Medicaid Services (CMS) to expand the capacity of the Arkansas Autism partnership to provide intensive early intervention services for children ages eighteen months to seven years with autism spectrum disorder. Intensive early intervention services are defined as individualized treatment utilizing evidence-based strategies based on a detailed assessment of the child that occurs in the home of the child, in the presence of the parent or legal guardian of the child, and for a maximum period of twenty-five hours per week. The Medicaid waiver under this section shall not pay more than \$50,000 annually per child. The Department must apply for an additional 50 slots to be added to the existing waiver by January 1, 2016.

<http://www.arkleg.state.ar.us/assembly/2015/2015R/Pages/BillInformation.aspx?measureno=sb952>
<http://humanservices.arkansas.gov/ddds/Pages/waiverServices.aspx>

Arkansas Home and Community-Based Services Waiver (HCBS): AR Alternative Community Services
AR Alternative Community Services, implemented on July 1, 2009, provides case management, respite, supportive living, supported employment, specialized medical supplies, adaptive equipment, community transition, consultation, crisis intervention, environmental modifications, and supplement support for individuals with autism, intellectual disability, and developmental disorders. There is no age limit for receiving benefits. AR Alternative Community Services expires on June 30, 2014. A draft of a request for a five-year renewal of the waiver was put out for comment in February 2016, for an extension to be effective July 1, 2016. It is unclear whether the application has yet been filed with CMS.

http://humanservices.arkansas.gov/ddds/waiverDocs/Application_for_1915c_HCBS_Waiver_%20Draft_AR.006.05.00_Jul_01_2016.html

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EDUCATION

Elementary and Secondary Education

On April 4, 2011 S.B. 780, now Act 1146, was signed into law. Act 1146 amends the state's definition of quality professional development for teachers of students with disabilities. Under S.B. 780, quality professional development will use research-based methods and data to determine educational goals and methods for educating children with special needs.

STATE LEGISLATIVE CALENDAR

The Arkansas General Assembly convenes its Regular Session on the second Monday in January of every odd numbered year. The fiscal Session is convened on the second Monday in February of every even numbered year. The 2016 Regular Session convened on April 13, 2016 and adjourned on May 9, 2016. The 2017 session is expected to begin on January 9, 2017.

<http://www.arkleg.state.ar.us>

Sponsors of Autism Legislation

Sen. Keith Ingram (D-West Memphis) District 24

Sen. David Johnson (D-Little Rock) District 32