

# 2012 State Autism Profiles MONTANA

## DEMOGRAPHICS

In 2000, 188 or 0.97% of children ages 3-21 who received special education services in Montana have autism. In 2010-2011, 617 or 3.68% of children with disabilities ages 3-21 who received special education services have autism.

**Table 1-1: IDEA Part B - Children with Autism in Montana for 1999-2000 and 2010-2011**  
(Child Count by Age Group)

	1999-2000	2010-2011
Age 3-5	23	65
Age 6-11	113	318
Age 12-17	50	221
Age 18-21	2	13
Age 6-21	165	552
Age 3-21	188	617

*Source: Reported by the State of Montana 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 Montana for 1999-2000 and 2010-2011**  
(Child Count by Age Group)

	1999-2000	2010-2011
Age 3-5	1,635	1,656
Age 6-11	8,482	7,261
Age 12-17	8,324	7,209
Age 18-21	872	635
Age 6-21	17,678	15,105
Age 3-21	19,313	16,761

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

## STATE TASK FORCE

### ***Montana Autism Task Force***

The Montana Department of Public Health and Human Services convened an informal Autism Task Force in August 2007 to determine whether the state should move forward with a Medicaid waiver for autism. Additionally, the task force considered how the waiver should be focused and developed a strategy to provide services for adults with autism. The task force was comprised of a state legislator, providers, regional state developmental disability staff, and families of an individual with autism. The task force was expected to continue through December 2008 and present a report of its findings to the Joint Human Services Appropriations Subcommittee in 2009. (*Refer to section on Medicaid.*)

## STATE INSURANCE COVERAGE

On May 5, 2009, Governor Brian Schweitzer signed into law S.B. 234 (sponsored by Sen. Kim Gillan and known as “Brandon’s Law”), requiring health insurance coverage for autism spectrum disorders for children 18 years old or younger. Coverage for applied behavior analysis (ABA) is limited to a maximum benefit of \$50,000 for children ages 8 and under and \$20,000 for children ages 9 to 18. The law went into effect on January 1, 2010.

Montana also has a mental health parity law, which includes coverage for severe mental illnesses. Effective July 1, 2009, policy or certificate of health insurance or disability insurance must provide a level of benefits necessary for the care and treatment of severe mental illness, including autism. Benefits include inpatient hospital services, outpatient services, rehabilitative services, medication, and services by a licensed physician, licensed advanced practice registered nurse with a specialty in mental health, licensed social worker, licensed psychologist, or licensed professional counselor whose services are part of a treatment plan prescribed by a licensed physician. [*MCA 33-22-706 (Temporary)*]

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### MEDICAID

#### ***Montana Home and Community-Based Services Waiver: MT Children's Autism Waiver***

This waiver, implemented on January 1, 2009, provides children's autism training, respite, waiver-funded children's case management, adaptive equipment and environmental modifications, OT, PT, speech therapy, transportation, individual goods and services, and program design and monitoring for children ages 1-4 with autism. Enrollment will be limited to a maximum three-year period at an average cost of \$40,000 per year per child. Services include 20-25 hours per week of intensive in-home habilitation training by a children's autism trainer, respite, waiver-funded children's case management, adaptive equipment/environmental modification, occupational therapy, physical therapy, speech therapy, transportation, individual goods and services, and program design and monitoring for children. This waiver is administered by the Montana Department of Public Health and Human Services, Disability Services Division, and Developmental Disabilities Program. This waiver expired on December 31, 2011, though CMS currently lists its status as "current."

<http://www.dphhs.mt.gov/dsd/ddp/autism.shtml>

<http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Waivers/Waivers.html>

In July 2008, DPHHS announced that it will be offering free screenings for autism spectrum disorders. The effort will create a database not only to reveal the extent of autism spectrum disorders in the state, but also to identify children under five years old with autism who may be eligible for services under the new waiver.

### EDUCATION

As part of the comprehensive educational evaluation and re-evaluation process requirements under the Administrative Rules of Montana, an additional team member is required in the initial evaluation of a student with a specified disability, including autism. For students with autism, a school psychologist and speech-language pathologist is required for the initial evaluation. (*ARM 10.16.3321*) In order to be identified as having autism, the student must meet certain criteria, including documentation that supports the existence of a developmental disability prior to the age of three years and difficulties with verbal and non-verbal communications and social interaction. Assessments should include documentation of the significant delays in verbal and non-verbal communications and social interaction and other characteristics associated with autism. A student may be identified as having autism after the age of three years if assessments can document significant delays in verbal and non-verbal communications and social interaction, and other characteristics associated with autism. However, a student cannot be identified as having autism "if the student's educational performance is adversely affected primarily by an emotional disturbance." (*ARM 10.16.3011*)

### STATE LEGISLATIVE CALENDAR

The Montana Legislature meets in Regular Session every odd-numbered year for no more than 90 days. The Regular Session convened on January 3, 2011 and adjourned on April 28, 2011. The 63rd session of the Montana Legislature will convene Monday, January 7, 2013 and is expected to adjourn on April 27, 2013.

<http://leg.mt.gov/css/default.asp>

#### ***Sponsors of Autism Legislation:***

Sen. Kim Gillan (D-Billings) District 24