

2013 State Autism Profiles MASSACHUSETTS

DEMOGRAPHICS

In 2000, 806 or 0.50% of children ages 3-21 who received special education services in Massachusetts have autism. In 2011-2012, 13,281 or 7.99% of children with disabilities ages 3-21 who received special education services have autism.

Table 1-1: IDEA Part B - Children with Autism in for 1999-2000 and 2011-2012
(Child Count by Age Group)

	1999-2000	2011-2012
Age 3-5	231	2,290
Age 6-11	290	5,889
Age 12-17	191	4,143
Age 18-21	94	959
Age 6-21	575	10,991
Age 3-21	806	13,281

Source: Reported by the Commonwealth of Massachusetts 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 Massachusetts for 1999-2000 and 2011-2012
(Child Count by Age Group)

	1999-2000	2011-2012
Age 3-5	14,328	16,491
Age 6-11	66,100	66,206
Age 12-17	73,344	74,381
Age 18-21	8,444	9,158
Age 6-21	147,888	149,745
Age 3-21	162,216	166,236

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

STATE TASK FORCE

Created in 2010 by the legislature (H.B. 4382) Massachusetts Autism Commission is set up to investigate the range of services and support that are important for individuals with autism spectrum disorders to reach their full potential. These issues include job attainment, employment, independent living, best practices, and many other services necessary. The commission's final report was delivered March 2013 and set forth a ten year roadmap for autism services in the Commonwealth.

<http://www.mass.gov/hhs/autismcommission>

In 2013, H.B. 3321 was introduced to permanently establish a state autism commission. The bill was forwarded to committee, but no further action has been taken. The commission would be responsible for monitoring implementation of the recommendations in the March 2013 report of the Massachusetts Autism Commission.

STATE INSURANCE COVERAGE

On August 4, 2010, Governor Deval Patrick signed H.B. 4935, An Act Relative to Insurance Coverage for Autism Spectrum Disorder, into law. The law includes coverage of include habilitative or rehabilitative, pharmacy, psychiatric, psychological, and therapeutic care, including Applied Behavioral Analysis. The law also contains a three year opt-out provision for health insurance plans if they can prove that providing coverage of ABA has increased their premiums by more than 1%. There are no dollar or age caps on benefits and the law applies individual, group and state employee health plans and health maintenance contracts.

[Mass. Gen. Laws Ann. ch. IV § 32A-25 \(2010 Mass. Acts, Chap. 207; HB 4935 of 2010\)](#)

2013 State Autism Profiles MASSACHUSETTS

Also, the Commonwealth of Massachusetts requires coverage for any medically necessary early intervention services provided by a certified early intervention specialist for children from birth to three years old at a maximum of \$5,200 per year per child and total of \$15,600 for the whole period. (*MA Gen. L. Ch. 175 §47c*)

Massachusetts does have a mental health parity law that requires mental health benefits on a nondiscriminatory basis for the diagnosis and treatment of specified biologically-based mental disorders, including autism.

[Mass. Gen. Laws Ann. ch. IV § 32A-22](#) (2008 Mass. Acts, Chap. 256; [HB 4423](#))

Finally, in 2013, H. 1026 was introduced to expand benefits under Massachusetts' 2010 autism insurance reform law to the state's Medicaid program. Sponsored by Rep. Danielle Gregoire (D-Marlborough), H.1026 would require MassHealth to cover medically necessary treatments for autism, including applied behavior analysis (ABA). MassHealth is the state agency that manages Medicaid and the Children's Health Insurance Program (CHIP) in Massachusetts. The bill was referred to Committee and a joint hearing was held in June 2013. No further action has been taken.

MEDICAID

Massachusetts Home and Community-Based Services Waiver: MA Children's Autism Spectrum Disorder

The Massachusetts Department of Mental Health, Autism Division received approval from the Centers for Medicare and Medicaid Services to offer a home and community-based services waiver for children with autism, which was implemented on October 1, 2010. The waiver is open to children under 9 years old who are residents of Massachusetts with a confirmed diagnosis of autism, and has a capacity of 80 children. The waiver provides individualized autism support planning for each child served, focusing primarily on education and expanded habilitation. Other services offered, if appropriate, include habilitation, community integration activities, independent living skills, family training, respite, homemaker, individual goods and services, adaptive aids, home adaptation, and vehicle modification. This waiver expires on September 30, 2015.

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

EDUCATION

Massachusetts follows the federal definition (*34 CFR 300.7*) when providing special educational services for children with autism spectrum disorder. In April 2006, H.B. 1123 was signed into law, which amended the state laws guiding the education of children with special needs. H.B. 1123 notes that the individualized education program for children with autism spectrum disorders should cover the following needs: verbal and non-communication skills; social interaction skills and proficiency; responses to sensory experiences; resistance to change in environment or daily routines; engagement in repetitive behaviors and movements; and positive behavioral interventions, strategies and supports. (*MA Gen Law ch. 71B§3*)

Legislation

H.B. 362 was introduced in the 2013 session to establish a commission to study the feasibility of a charter school for students on the autism spectrum. The bill was referred to committee and a joint hearing was held in May 2013. A similar bill, H.B. 2710, was introduced in the 2011-2012 session but did not pass.

2013 State Autism Profiles MASSACHUSETTS

In the 2011- 2012 session, S.B. 1174 was introduced to define rules and regulations for the testing, treatment, care, and parental counseling of people with autism and autism spectrum disorders. The Commissioner would be charged with determining the earliest age for screening and the method of screening in light of advances in medical science. The bill did not pass during the session.

H.B. 1856 was introduced in the 2011- 2012 session to support and increase the number of qualified providers of intensive intervention providers for children with autism spectrum disorders, The bill directs the Secretary of Health & Human Services and the Secretary of Education to collaborate with parents, advocates, educators and service providers for the study and development of recommendations on intensive intervention services for children with autism.. The bill did not pass during the session.

OTHER STATE ACTIONS

In January 2013, Governor Deval Patrick signed into law the establishment of state licensure for all Board Certified Behavior Analysts (BCBAs) and assistant BCBAs working in Massachusetts. The law confirms ABA as an independent profession, although it includes a grandfathering period existing providers to continue practicing as they apply for the new state license from the Board of Registration of Allied Mental Health and Human Services Professionals.

<http://www.mass.gov/ocabr/licensee/dpl-boards/mh/>

H.B. 75, introduced in January 2013, directed the commissioner of the Massachusetts Rehabilitation Commission to establish a two-year pilot program for twenty-five adults with Asperger's syndrome and other autism spectrum disorders to provide services to lead to paid employment. It also requires the commission establish an advisory board of community professionals to advise the project and to submit a final report at the conclusion of the pilot. The bill was referred to committee and a hearing held in May 2013. Similar bills have been introduced in previous sessions – H.B. 31046 in the 2011–2012 session; H.B. 156 in the 2009–2010 session.

H.B. 3003 was introduced in the 2013 session provide criminal justice training for police and correction officers regarding interactions with individuals with autism spectrum disorder and to provide a designation indicating autism on driver's licenses and state I.D. cards. The bill was referred to committee and no further action has been taken. Similar bills have been introduced in previous sessions.

H.B. 1900 was introduced in the 2013 session directing the department of public health to design and provide specialized training on autism through medical continuing education programs for primary care physicians, neurologists, psychiatrists, dentists, emergency room personnel and other medical specialists to expand current medical providers' knowledge about autism,. Once the training on autism is implemented, the department will design a pilot program to ultimately develop one "autism team" who could be called upon should a patient with autism enter the emergency room, need tests or x-rays, or need to be admitted. The bill was referred to committee and a hearing scheduled for October 2013. No further action has been taken.

STATE LEGISLATIVE CALENDAR

The Massachusetts General Court meets in regular session annually. The 2012 session convened on January 4, 2012 and is expected to adjourn on January 1, 2013. The 2013 session convened on January 2, 2013 and is expected to adjourn in January 2014.

<http://www.mass.gov/legis/>

2013 State Autism Profiles MASSACHUSETTS

Sponsors of Autism Legislation

Sen. Katherine Clark (D-Melrose)

Rep. Denise Andrews (D-Orange)

Rep. Garrett J. Bradley (D-Hingham)

Rep. Paul Brodeur (D-Melrose)

Rep. Cheryl Coakley-Rivera (D-Springfield)

Rep. Danielle Gregoire (D-Marlborough)

Rep. Alice Peisch (D-Wellesley)

Rep. Todd Smola (R-Palmer)

Rep. David Sullivan (D-Fall River)