

# 2016 State Autism Profiles NEVADA

## DEMOGRAPHICS

In 2000, 493 or 1.29% of children ages 3-21 who received special education services in Nevada have autism. In 2014-2015, 5,946 or 11.1% of children with disabilities ages 3-21 who received special education services have autism.

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

	2000-2001	2014-2015
Age 3-5	89	1,082
Age 6-21	394	4,864
Age 3-21	493	5,946

Source: Reported by the State of Nevada 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 Nevada for 2000-2001 and 2014-2015**  
(Child Count by Age Group)

	2000-2001	2014-2015
Age 3-5	3,676	8,537
Age 6-11	17,324	22,737
Age 12-17	15,882	20,352
Age 18-21	1,278	2,129
Age 6-21	34,484	45,218
Age 3-21	38,160	53,755

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

## STATE TASK FORCE

### *State of Nevada Autism Task Force*

On October 16, 2007, Gov. Jim Gibbons signed A.B. 629 into law. Section 40 of the bill created the Nevada Autism Task Force to review the current services for individuals with autism spectrum disorders and provide recommendations to improve the effectiveness of services, in particular with early intervention, diagnosis, and treatment. The task force is comprised of 14 members, ten who are appointed by the Governor. The task force submitted the report of its findings and recommendations to the Governor and legislature on July 28, 2008.

[http://dhhs.nv.gov/uploadedFiles/dhhsnv.gov/content/Programs/Autism/2014\\_Meetings/2014-07-11-5YearStrategicPlan\(1\).pdf](http://dhhs.nv.gov/uploadedFiles/dhhsnv.gov/content/Programs/Autism/2014_Meetings/2014-07-11-5YearStrategicPlan(1).pdf)

### *The Nevada Commission on Autism Spectrum Disorders*

The Nevada Commission on Autism Spectrum Disorders was created through Executive Order by Governor Jim Gibbons on November 19, 2008, to continue the work of the Nevada Autism Task Force. The Commission is comprised of five members appointed by the Governor and makes biannual reports to the Governor by June 30 and December 31 of each year.

<http://adsd.nv.gov/Boards/Autism/Autism/>

## STATE INSURANCE COVERAGE

On May 29, 2009, Gov. Jim Gibbons signed A.B. 162 into law, requiring group, health maintenance organizations, and plans or policies that provide hospital or outpatient care to provide health insurance coverage for the screening and treatment of autism spectrum disorders. Coverage may not be higher than that of other outpatient care. Medically appropriate treatment includes habilitative or rehabilitative care, including applied behavioral analysis (ABA), pharmaceutical care, psychiatric care, psychological care, and therapeutic care. The law requires a maximum annual benefit of \$36,000 for applied behavioral

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analysis. Coverage for ASD is mandated for children under 18 or for those 21 years old and under if they are enrolled in high school. [\*Nev. Rev. Stat. § 689A.0435 \(2009 Nev. Stats., Chap. 331\*](#), A.B. 162 of 2009

In May 2015, the legislature passed and the Governor signed into law A.B. 6, revising the cap on the amount of required insurance coverage for certain treatment. Individuals may now benefit up to \$72,000 per year for applied behavior analysis.

<https://www.leg.state.nv.us/App/NELIS/REL/78th2015/Bill/1152/Overview>

[https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB6\\_EN.pdf](https://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB6_EN.pdf)

### **ESSENTIAL HEALTH BENEFITS**

Nevada has a state insurance mandate to cover autism services including applied behavior analysis (ABA). In the mandate, ABA is defined under “habilitative and rehabilitative care.” Under the Affordable Care Act, Nevada will continue to offer autism services including ABA on its state-run exchange. However, the benchmark plan indicates that ABA is in a stand-alone category and subject to a dollar limitation.

(Health Plan of Nevada; Point of Service Group 1 C XV 500 HCR)

### **MEDICAID**

In response to the 2014 guidance from the Centers for Medicare & Medicaid Services (CMS) on provision of services for individuals with autism spectrum disorder under Medicaid’s Early Periodic Screening Diagnosis and treatment (EPSDT), Nevada will begin providing applied behavior analysis to children in Medicaid in 2016. In part because of the expansion of the provision of autism services in Medicaid, Governor Sandoval made funding for autism programs a primary focus of his 2015-2017 budget working with the legislature to increase the budgeted amount from \$10 million to \$75 million.

### **EDUCATION**

In the 2011 session, S.B. 294 was introduced related to providers of health care, including revising provisions governing the practice of applied behavior analysis (ABA). For example, an “assistant behavior analyst” now refers to a person who holds current certification or meets the standards to be certified as a board certified assistant behavior analyst by the Behavior Analyst Certification Board, Inc., and who is licensed as an assistant behavior analyst by the Board. S.B. 294 was signed into law by Gov. Sandoval on June 16, 2011. It was effective June 16, 2011, for the purpose of adopting regulations, and on January 1, 2012, for all other purposes.

In May 2009, A.B. 359 was enacted, creating the Grant for the Training and Education of Personnel Who Work with Pupils with Autism and requiring that certain school and healthcare personnel possess the skills and qualifications necessary to work with pupils with autism. Previously, in 1998, the Nevada Department of Education, Office of Special Education, ESEA & Special Improvement convened the “Early Childhood Autism Task Force.” The task force is not active at this time.

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## OTHER LEGISLATION AND RESOURCES

### *Licensure of Behavior Analysts*

Behavior Analysts in Nevada are licensed by the Board of Psychological Examiners.

[http://psyexam.nv.gov/Forms/Behavior\\_Analyst/](http://psyexam.nv.gov/Forms/Behavior_Analyst/)

<https://www.leg.state.nv.us/NAC/NAC-641.html>

### *Autism Assistance Treatment Program*

In 2011, the legislature passed and the Governor signed into law A.B. 345, creating an Autism Assistance Treatment Program within the State Department of Health and Human Services, effective July 1, 2011. A.B. 345 requires the Division of Disability Services in the Department of Health and Human Services to design a protocol to measure and assess outcomes from the Autism Assistance Treatment Program, as well as evaluate persons under 21 with autism spectrum disorder receiving services from state and local providers. A.B. 345 also requires local government agencies to provide services to people with autism spectrum disorder.

<http://adsd.nv.gov/Programs/Autism/ATAP/ATAP/>

In June 2015, the legislature passed and the Governor signed into law S.B. 514, increasing state costs in the 2015-16 and 2016-17 fiscal year in the event that costs associated to providing federally mandated behavior intervention services to children with autism spectrum disorder are higher than anticipated. In response, the State approved \$2,205,506 in the 2016-17 fiscal years to be allocated to the Department of Health and Human Services for costs of services provided by the Autism Treatment Assistance Program within the Aging and Disability Services Division.

<https://www.leg.state.nv.us/Session/78th2015/Reports/history.cfm?BillName=SB514>

## STATE LEGISLATIVE CALENDAR

The Nevada State Legislature meets in regular session biennially on the first Monday in February. The 78<sup>th</sup> Regular Session of the Nevada Legislature convened on February 2, 2015 and adjourned on June 1, 2015. The Legislature did not meet in 2016. The 79<sup>th</sup> Regular Session is expected to adjourn on February 6, 2017 and adjourn in June 2017.

<http://www.leg.state.nv.us/>

### *Sponsors of Autism Legislation*

Sen. Joseph P. Hardy, II (R-Las Vegas)

District 12

Rep. James Ohrenschall (D-Las Vegas)

District 12

Rep. Melissa Woodbury (R-Las Vegas)

District 23