

2016 State Autism Profiles NEW MEXICO

DEMOGRAPHICS

In 2000, 231 or 0.44% of children ages 3-21 who received special education services in New Mexico have autism. In 2014-2015, 2,477 or 5.19% of children with disabilities ages 3-21 who received special education services have autism.

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

	2000-2001	2014-2015
Age 3-5	6	265
Age 6-21	225	2,212
Age 3-21	231	2,477

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

	2000-2001	2014-2015
Age 3-5	4,970	4,285
Age 6-11	21,424	22,083
Age 12-17	23,538	19,361
Age 18-21	2,324	1,976
Age 6-21	47,286	43,420
Age 3-21	52,256	47,705

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

STATE TASK FORCE

The State of New Mexico does not have an active task force on autism at this time.

STATE INSURANCE COVERAGE

On April 2, 2009, Governor Bill Richardson signed S.B. 39 into law, mandating health insurance coverage for the diagnosis and treatment of autism spectrum disorders in persons 19 years old and younger or 22 years old and younger if enrolled in high school. Services covered include well-baby and well-child screening for diagnosing the presence of autism spectrum disorder and the treatment of autism spectrum disorder through speech therapy, occupational therapy, physical therapy and applied behavior analysis (ABA). This coverage is limited to prescribed treatments and may cost no more than \$36,000 annually and \$200,000 in total lifetime benefits. Beginning in 2011, these limits will be adjusted for inflation on January 1st of each year. [N.M. Stat. Ann. § 59A-22-49, § 59A-23-7.9, § 59A-46-50 and § 59A-47-45](#) (2009 N.M. Laws, Chap. 74, [S.B. 39](#) of 2009, [Fiscal Impact Report](#)).

In April 2013, Governor Susana Martinez signed H.B. 22, expanding coverage under New Mexico's 2009 autism insurance reform law to include public employees.

<http://www.nmlegis.gov/sessions/13%20Regular/bills/house/HB0022.pdf>

ESSENTIAL HEALTH BENEFITS

Autism services and applied behavior analysis (ABA) are part of the Essential Health Benefits package in New Mexico's benchmark plan. The benchmark plan has categorized treatment of autism spectrum disorder under "habilitative services." New Mexico is running its own exchange. (Lovelace Insurance Company; Classic PPO)

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MEDICAID

New Mexico offers autism services for children through traditional Medicaid under the Early Periodic Screening Diagnosis and Treatment program (EPSDT).

New Mexico Home and Community-Based Services Waiver: NM Mi Via-ICF/MR

This waiver, implemented on October 1, 2009, provides a consultant and support guide, customized community supports, employment supports, homemaker and direct support services, respite, home health aide services, skilled therapy for adults, personal plan facilitation, assisted living, behavior support consultation, community direct support, customized in-home living supports, emergency response services, environmental modifications, nutritional counseling, private duty nursing for adults, related goods, specialized therapies, and transportation for individuals of all ages with autism, developmental disabilities, and intellectual disability. This waiver expires on September 30, 2020.

New Mexico Home and Community Based Waiver: NM DD This waiver implemented July 1, 2011, provides case management, community integrated employment, customized community supports, living supports, personal support, respite, nutritional counseling, OT for adults, PT for adults, speech and language therapy for adults, supplemental dental care, assistive technology, behavior support consultation, crisis support, customized in-home supports, environmental mods. This waiver also covers independent living transition, intensive medical living supports, non-medical transportation, personal support technology/on-site response, preliminary risk screening and consultation related to inappropriate sexual behavior, private duty nursing for adults, socialization and sexuality education for individuals with autism, intellectual disabilities and developmental disabilities of all ages. New Mexico filed an application for extension of the waiver on April 1, 2015. This waiver was set to expire on June 30, 2016.

http://www.medicaid.gov/medicaid-chip-program-information/by-topics/waivers/waivers_faceted.html
<http://www.hsd.state.nm.us/LookingForInformation/developmentally-disabled.aspx>

EDUCATION

New Mexico defines autism spectrum disorders as a developmental disability under the category of physical disabilities, as defined in IDEA (*34 CFR Sec. 300.7(c)(2)*). The New Mexico Public Education Department requires the Multi-Disciplinary Team to evaluate and assess students with autism on categories, such as language skills, cognitive and intellectual abilities, adaptive behavior, communications, and social skills.

In the 2011 session the legislature considered S.B. 314, which would have required schools, when evaluating a child for autism spectrum disorder or developing a plan for that child, to consider a wide range of treatment and therapy options available to the child in school and out of school. S.B. 314 passed both houses but was vetoed by the Governor.

OTHER STATE RESOURCES

Voluntary Autism Registry

S.B. 43 was introduced to appropriate funds for the Department of Health to create a voluntary registry for individuals with autism spectrum disorders. The legislation was referred to the Senate Finance Committee on January 28, 2009. No further action was taken.

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STATE LEGISLATIVE CALENDAR

The New Mexico State Legislature meets on the third Tuesday of January for sixty days in odd-numbered years and for thirty days in even-numbered years. The 2016 Regular Session convened on January 19, 2016 and adjourned on February 18, 2016. The 2017 session is expected to convene on January 17, 2017 and adjourn on April 10, 2017.

<http://www.nmlegis.gov/lcs/>

Sponsors of Autism Legislation

Sen. Gerald Ortiz y Pino (D-Albuquerque)
District 12

Sen. Bill O'Neill (D-Albuquerque)
District 13

Rep. James E. Smith (R-Bernalillo, Sandoval, Santa Fe)
District 22

Rep. Candy Spence Ezzell (R-Chavez) District 58