

2016 State Autism Profiles SOUTH DAKOTA

DEMOGRAPHICS

In 2000, 262 or 1.56% of children ages 3-21 who received special education services in South Dakota have autism. In 2014-2015, 978 or 5.15% of children with disabilities ages 3-21 who received special education services have autism.

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

	2000-2001	2014-2015
Age 3-5	35	120
Age 6-21	227	858
Age 3-21	262	978

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

	2000-2001	2014-2015
Age 3-5	2,286	2,568
Age 6-11	7,993	9,254
Age 12-17	5,780	6,362
Age 18-21	766	791
Age 6-21	14,539	16,407
Age 3-21	16,825	18,975

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

STATE TASK FORCE

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

STATE INSURANCE COVERAGE

In March 19, 2015, S.B. 190 was signed into law by Governor Dennis Daugaard to require coverage for autism services in all individual and group health insurance and self-funded nonfederal governmental plans with the exception of the state employee health plan, including applied behavioral analysis (ABA) for children up to 18 years of age. The new law sets an annual minimum benefit for ABA at \$36,000 for children through the age of six, \$25,000 from ages seven to 13, and \$12,500 for ages 14-18. The bill requires ABA therapy, but only by providers with master's or doctoral degrees. The bill also includes a provision for a workgroup to consider additional coverage options in the future. The plan covers behavioral health treatment, pharmacy care, and therapeutic care upon diagnosis of autism spectrum disorder by a licensed physician.

S.D. Codified Laws Section 58-17 (as amended by S.B. 190)

http://legis.sd.gov/Legislative_Session/Bills/Bill.aspx?Session=2015&Bill=190

<http://www.sdlegislature.gov/docs/legsession/2015/Bills/SB190ENR.pdf>

In 2014, as a compromise when unable to pass autism insurance legislation, the legislature passed H.B. 108, which requires a study of services and insurance coverage for the treatment of autism. The Governor signed H.B. 108 into law on March 28, 2014. The study will explore the availability and certification of providers, medically accepted treatments and outcomes, and the costs and benefits of autism services for children. The completed study is to be presented to the Governor and the Legislature by November 15. It is being led by the state Departments of Labor and Regulation and the Department of Human Services (DHS).

http://legis.sd.gov/Legislative_Session/Bills/Bill.aspx?File=SB108ENR.htm&Session=2014

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H.B. 1031, signed into law on March 3, 2014, revises certain provisions related to the definition of and the diagnosing of autism. (Section 1-45-13 of the bill was repealed, which established autism screening procedures and instruments as well as criteria and standards for diagnosis.) The bill requires the Department of Education to use the definition of autism from the Diagnostic and Statistical Manual of Mental Disorders, Fifth addition, published by the American Psychiatric Association.

http://legis.sd.gov/Legislative_Session/Bills/Bill.aspx?File=HB1031ENR.htm&Session=2014

South Dakota has a state mental health parity law. However, the law requires health insurance coverage for the diagnosis and treatment of biologically-based mental illness, which does not include autism spectrum disorders. (*SD SL §58:17-98*)

ESSENTIAL HEALTH BENEFITS

South Dakota's benchmark plan does not include autism services or applied behavior analysis (ABA) in its Essential Health Benefits package. Its exchange is being run by the federal government. (Wellmark of South Dakota; Blue Select PPO)

EDUCATION

South Dakota has defined that a student with a disability, specifically including autism, who has been determined to require or need special services is eligible for special education. Autism is identified as a disability that requires special education. If a child is suspected to have autism, a school district will refer the student to an agency that specializes in the diagnosis of autism, or will have the student evaluated by an internal multidisciplinary team. The student's social skills, adaptive behavior, and speech/language will be evaluated.

<http://doe.sd.gov/oess/documents/NCCompPla.pdf>

Licensure of Applied Behavior Analysts

Following the 2015 session of the South Dakota Legislature, the Department of Human Services (DHS) led a 16 person workgroup which reached consensus on the necessity of licensure. On March 10, 2016, the Governor signed into law H.B. 1141 which allows for the certification and licensure of individuals offering Applied Behavioral Analysis (ABA). The legislation is effective July 1, 2016. The Governor will appoint a three person advisory board to provide input to the South Dakota Board of Social Work on the administrative rules that form the basis for the regulation of the profession.

<http://dhs.sd.gov/autismtherapyworkgroup/default.aspx>

<http://www.sdlegislature.gov/docs/legsession/2016/Bills/HB1141P.htm>

OTHER STATE RESOURCES

Family Support

Family Support is a statewide network of services for families of children with developmental disabilities, including autism. The goal of the program is to ensure that children who have developmental disabilities are able to stay home with their families. In addition to natural supports such as families and friends, the system helps families gain access to existing formalized services. Each family is also assigned a support coordinator who will help with determining which services best fit their individual needs. Finally, the program also raises money to help families afford the expenses of the different services they are utilizing.

<http://dhs.sd.gov/dd/family/index.aspx>

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STATE LEGISLATIVE CALENDAR

The South Dakota State Legislature meets annually on the second Tuesday in January. The 2016 session convened on January 12, 2016 and adjourned on March 29, 2016. The 2017 session is expected to convene on January 10, 2017 and adjourn by April 2017.

<http://legis.state.sd.us/>

Sponsors of Autism Legislation

None at this time.