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**CHAPTER 4: APPLIED BEHAVIOR ANALYSIS**

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**COVERED SERVICES**

Medicaid covered applied behavior analysis (ABA)-based therapy is the design, implementation, and evaluation of environmental modification using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including the direct observation, measurement and functional analysis of the relations between environment and behavior. ABA-based therapy services teach skills through the use of behavioral observation and reinforcement, or prompting, to teach each step of targeted behavior. ABA-based therapy services are based on reliable evidence and are not experimental.

Medicaid covered ABA-based therapy must be:

1. Medically necessary;
2. Prior authorized by managed care organizations (MCOs); and
3. Delivered in accordance with the beneficiary's behavior treatment plan.

Services must be provided by, or under the supervision of, a behavior analyst who is currently licensed by the Louisiana Behavior Analyst Board, or a licensed psychologist or licensed medical psychologist, hereafter referred to as the *licensed professional*. Payment for services must be billed by the licensed professional.

Prior to requesting ABA services, the beneficiary must have documentation indicating medical necessity for the services through a completed comprehensive diagnostic evaluation (CDE) that has been performed by a qualified health care professional (QHCP). (See Appendix A for contact information on arranging a CDE).

**NOTE:** Medical necessity for ABA-based therapy services must be determined according to the provisions of the *Louisiana Administrative Code* (LAC), Title 50, Part I, Chapter 11.

A QHCP is defined as a:

1. Pediatric Neurologist;
2. Developmental Pediatrician;
3. Psychologist (including a Medical Psychologist);
4. Psychiatrist (particularly Pediatric and Child Psychiatrist); or

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5. Licensed individual that has been approved by the beneficiary's MCO medical director as meeting the requirements of a QHCP when:
  - a. The individual's scope of practice includes a differential diagnosis of Autism Spectrum Disorder and comorbid disorders for the age and/or cognitive level of the beneficiary; and
  - b. The individual has at least two years of experience providing such diagnostic assessments and treatments.

The CDE must include at a minimum:

1. A thorough clinical history with the informed parent/caregiver, inclusive of developmental and psychosocial history;
2. Direct observation of the beneficiary, to include but not be limited to, assessment of current functioning in the areas of social and communicative behaviors and play or peer interactive behaviors;
3. A review of available records;
4. A valid *Diagnostic and Statistical Manual of Mental Disorders*, (DSM) V (or current edition) diagnosis;
5. Justification/rationale for referral/non-referral for an ABA functional assessment and possible ABA services; and
6. Recommendations for any additional treatment, care or services, specialty medical or behavioral referrals, specialty consultations, and/or any additional recommended standardized measures, labs or other diagnostic evaluations considered clinically appropriate and/or medically necessary.

When the results of the screening are borderline, or if there is any lack of clarity about the primary diagnosis, comorbid conditions or the medical necessity of services requested, the following categories of assessment should be included as components of the CDE and must be specific to the beneficiary's age and cognitive abilities:

1. Autism specific assessments;

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2. Assessments of general psychopathology;
3. Cognitive/developmental assessment; and
4. Assessment of adaptive behavior.

**Assessment and Treatment Plan Development**

The licensed professional supervising treatment is required to perform a functional assessment of the beneficiary utilizing the outcomes from the CDE, and develop a behavior treatment plan.

Services for “Behavior Identification Assessment” must be prior authorized by the beneficiary’s MCO. Once services commence, additional assessments at a minimum shall occur every six months. The authorization period for such assessments shall not exceed 180 days.

In exceptional circumstances, at the discretion of the MCO prior authorizing the service, an additional assessment may be authorized.

The behavior identification supporting assessment must be prior authorized. Supporting assessments may be approved to allow technicians to gather information that support the licensed professional completing the assessment. The authorization period for such assessments shall not exceed 180 days.

Behavior identification supporting assessment conducted with two or more technicians, must be prior authorized and treated in the same manner as the behavior identification supporting assessment above. However, such assessment may be administered by the physician or other QHCP who is on-site but not necessarily face-to-face; with the assistance of two or more technicians. This is only medically necessary when the beneficiary’s behavior is so destructive that it requires the presence of a team and an environment customizable to the beneficiary’s behavior.

All three assessment services can occur on the same day and continue as prior authorized until the assessment is completed.

**Behavior Treatment Plan**

The behavior treatment plan identifies the treatment goals along with providing instructions to increase or decrease the targeted behaviors. Treatment goals and instructions target a broad range of skill areas such as communication, sociability, self-care, play and leisure, motor development and academic, and must be developmentally appropriate. Treatment goals should emphasize skills required for both short- and long-term goals. Behavior treatment plans should include

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parent/caregiver training and support. The instructions should break down the desired skills into manageable steps that can be taught from the simplest to more complex.

The behavior treatment plan must:

1. Be person-centered and based upon individualized goals;
2. Delineate the frequency of baseline behaviors and the treatment development plan to address the behaviors;
3. Identify long-term, intermediate, and short-term goals and objectives that are behaviorally defined;
4. Identify the criteria that will be used to measure achievement of behavior objectives;
5. Clearly identify the schedule of services planned and the individual providers responsible for delivering the services;
6. Include care coordination, involving the parent(s) or caregiver(s), school, state disability programs, and others as applicable;
7. Include parent/caregiver training, support, education, and participation;
8. Identify objectives that are specific, measureable, based upon clinical observations of the outcome measurement assessment, and tailored to the beneficiary; and
9. Ensure that interventions are consistent with ABA techniques.

The provider may use the Louisiana Department of Health (LDH) treatment plan template provided (See Appendix D) or his/her own form. If the provider chooses to use his/her own form, the provider must address ALL of the relevant information specified in the LDH treatment plan template. Any missing information may delay approval of prior authorization of service.

The behavior treatment plan must indicate that direct observation occurred and describe what happened during the direct observation. If there are behaviors being reported that did not occur and these behaviors are being addressed in the behavior treatment plan, indicate all situations and frequencies at which these behaviors have occurred and have been documented. If there is documentation from another source, that documentation must be attached. If there is any other evidence of the behaviors observed during the direct observation and that are proof of these

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behaviors, these must be reported on the behavior treatment plan as well.

The behavior treatment plan shall include a weekly schedule detailing the number of expected hours per week and the location for the requested ABA services. In addition, the provider shall indicate both the intensity and frequency of the therapy being requested and the justification for this level of service.

The location of service should be specific and indicate home, clinic, school, camp, etc. If the place of service changes during the prior authorization period, an addendum to the behavior treatment plan must be submitted. The treatment plan should detail the ABA programing delivered in each location.

When developing a treatment plan, it is necessary to request only services that are medically necessary as determined through the assessment. Any model of ABA services can be approved if it achieves the goals set forth in the assessment. All services do not need to be part of the treatment plan, or used in conjunction with each other, unless technician services are being provided. If technician services are being provided, supervision by a licensed behavior analyst must be a part of the treatment plan.

### **Therapeutic Behavioral Services**

Therapeutic behavioral services include the design, implementation and evaluation of environmental modification using behavioral stimuli and consequences to produce socially significant improvement in human behavior, including the direct observation, measurement and functional analysis of the relations between environment and behavior. This includes one-on-one services that teach skills for each step of targeted behavior(s) through the use of behavioral observation and reinforcement, or prompting.

The licensed supervising professional must frequently review the beneficiary's progress using ongoing objective measurement and adjust the instructions and goals in the behavior treatment plan as needed.

### **Supervision**

The licensed supervising professional shall provide case oversight and management of the treatment team by supervising and consulting with the beneficiary's team. The licensed supervising professional must also conduct regular meetings with family members to plan ahead, review the beneficiary's progress and make any necessary adjustments to the behavior treatment plan. Part of the supervision must be done in the presence of the beneficiary receiving treatment and state-certified assistant behavior analyst or the registered line technician. Supervision shall be

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approved on a 2:10 basis that is two hours of supervision for every ten hours of therapy. Supervision will not be approved if the licensed supervising professional is delivering the direct therapy.

One on one supervision may be conducted and billed simultaneously and concurrently with one on one therapeutic behavioral services. Supervision can only occur when a non-licensed professional is providing the therapeutic behavioral services.

**Role of the Parent/Caregiver**

To facilitate ABA service authorization and delivery, the parent/caregiver should provide supporting documentation (e.g., Individualized Education Program (IEP)) as requested by the provider.

Treatment plan services must include care coordination involving the beneficiary's parent/caregiver. Services should also include parent/caregiver training, support, and participation. ABA is a beneficiary-focused service, and it is not practical or within the standard of practice to require the parent/caregiver to be present at all times while services are being rendered to the beneficiary. Beneficiaries may be unaccompanied by a parent/caregiver while receiving services at a center-based program, especially for beneficiaries receiving services for multiple hours per day. To the extent that parental/caregiver presence is required is a therapeutic decision, even when therapy is provided in the home.

Services for "Family adaptive behavior treatment guidance", administered by a physician or other QHCP, should be included in a behavior treatment plan for prior authorization in order to transfer skills to the parent(s) or caregiver(s) of the beneficiary to ensure that the beneficiary has consistency across environments, and therapy can be reinforced at home and in other locations with their parent/caregiver.

Services for "Multiple-family group adaptive behavior treatment guidance", administered by a physician or other QHCP, should be included in a behavior treatment plan for prior authorization in order to transfer skills to the parent(s) or caregiver(s) of the beneficiary to ensure that the beneficiary has consistency across environments, and therapy can be reinforced at home and in other locations with their parent/caregiver.

The multiple-family group therapy should be used when parent(s) or caregiver(s) of two or more beneficiaries are present. The beneficiaries should have similar diagnosis, behaviors, and treatment needs.

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**Limitations**

A prior authorization period shall not exceed 180 days. Services provided without prior authorization will not be considered for reimbursement, except in the case of retroactive Medicaid eligibility.

**Group Therapy**

When part of the approved behavior treatment plan, services for “Adaptive behavior treatment social skills group” administered by physician or other QHCP shall be face-to-face with two or more beneficiaries. The beneficiaries should have similar diagnosis, behaviors, and treatment needs.

When part of the approved behavior treatment plan, “Registered Line Tech Group adaptive behavior treatment” may be administered by a registered line technician. This shall be face-to-face with two or more beneficiaries. The beneficiaries should have similar diagnosis, behaviors, and treatment needs.

**Place of Service**

Services must be provided in a natural setting (e.g., home and community-based settings, including clinics and school). Medically necessary ABA services provided by ABA service providers in school settings are allowed.

**Exclusions**

The following services do not meet medical necessity criteria, and do not qualify as Medicaid covered ABA-based therapy services:

1. Therapy services rendered when measureable functional improvement or continued clinical benefit is not expected, and therapy is not necessary or expected for maintenance of function or to prevent deterioration;
2. Service that is primarily educational in nature;
3. Services delivered outside of the school setting that duplicate services under an individualized family service plan (IFSP) or an IEP, as required under the federal Individuals with Disabilities Education Act (IDEA);
4. Treatment whose purpose is vocationally or recreationally-based; and

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- 5. Custodial care that:
  - a. Is provided primarily to assist in the activities of daily living (ADLs), such as bathing, dressing, eating, and maintaining personal hygiene and safety;
  - b. Is provided primarily for maintaining the safety of the beneficiary or anyone else; or
  - c. Could be provided by persons without professional skills or training.