

PROPOSED AMENDMENT

HB 1587 # 7

DIGEST

ABA therapy. Beginning January 1, 2026, requires Medicaid reimbursement for applied behavior analysis therapy services. Allows the office of the secretary to require prior authorization and peer review for certain services. Sets forth requirements, beginning January 1, 2027, that a provider must meet in order to receive reimbursement.

1 Page 2, between lines 28 and 29, begin a new paragraph and insert:
2 "SECTION 2. IC 12-7-2-20.9 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2025]: **Sec. 20.9. "Behavior technician", for**
5 **purposes of IC 12-15-41.5, has the meaning set forth in**
6 **IC 12-15-41.5-1.**

7 SECTION 3. IC 12-7-2-69.8 IS ADDED TO THE INDIANA CODE
8 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2025]: **Sec. 69.8. "DSM", for purposes of IC 12-15-41.5, has the**
10 **meaning set forth in IC 12-15-41.5-2.**

11 SECTION 4. IC 12-7-2-143.3 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2025]: **Sec. 143.3. "Practice guidelines", for**
14 **purposes of IC 12-15-41.5, has the meaning set forth in**
15 **IC 12-15-41.5-5."**

16 Page 3, between lines 24 and 25, begin a new paragraph and insert:
17 "SECTION 6. IC 12-15-41.5 IS ADDED TO THE INDIANA CODE
18 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2025]:

20 **Chapter 41.5. Applied Behavior Analysis Therapy**

21 **Sec. 1. As used in this chapter, "behavior technician" means an**
22 **individual who is a registered behavior technician by a certifying**
23 **entity.**

24 **Sec. 2. As used in this chapter, "DSM" refers to the most**
25 **current version of the American Psychiatric Association's**
26 **Diagnostic and Statistical Manual of Mental Disorders.**

1 **Sec. 3. For purposes of this chapter, "Medicaid" includes the**
2 **state Medicaid plan and a Medicaid waiver that offers applied**
3 **behavior analysis therapy services.**

4 **Sec. 4. For purposes of this chapter, "office" includes the**
5 **following:**

6 **(1) The office of the secretary of family and social services.**

7 **(2) A managed care organization that has contracted with the**
8 **office under this article.**

9 **(3) A person that has contracted with a managed care**
10 **organization described in subdivision (2) to provide Medicaid**
11 **services described in this chapter.**

12 **Sec. 5. As used in this chapter, "practice guidelines" refers to**
13 **the current version of the Council of Autism Service Providers**
14 **applied behavior analysis practice guidelines for the treatment of**
15 **autism spectrum disorder.**

16 **Sec. 6. (a) Beginning January 1, 2026, the office shall reimburse**
17 **for applied behavior analysis therapy services as prescribed by a**
18 **health care provider for a Medicaid recipient as follows:**

19 **(1) For a Medicaid recipient diagnosed with autism spectrum**
20 **disorder Level 1 as set forth in the DSM either:**

21 **(A) not more than twenty (20) hours; or**

22 **(B) the number of hours prescribed by the recipient's**
23 **health care provider, based on the appropriate standard of**
24 **care and practice guidelines;**

25 **per week of direct applied behavior analysis therapy services**
26 **provided by a behavior technician.**

27 **(2) For a Medicaid recipient diagnosed with autism spectrum**
28 **disorder Level 2 as set forth in the DSM either:**

29 **(A) not more than thirty two (32) hours; or**

30 **(B) the number of hours prescribed by the recipient's**
31 **health care provider, based on the appropriate standard of**
32 **care and practice guidelines;**

33 **per week of direct applied behavior analysis therapy services**
34 **provided by a behavior technician.**

35 **(3) For a Medicaid recipient diagnosed with autism spectrum**
36 **disorder Level 3 as set forth in the DSM either:**

37 **(A) not more than thirty eight (38) hours; or**

38 **(B) the number of hours prescribed by the recipient's**
39 **health care provider, based on the appropriate standard of**
40 **care and practice guidelines;**

1 per week of applied behavior analysis therapy services
2 provided by a behavior technician.

3 **(b) The office of the secretary may require prior authorization**
4 **for the services described in subsection (a)(1)(B), (a)(2)(B), and**
5 **(a)(3)(B).**

6 **(c) The office of the secretary may require prior authorization**
7 **and peer review for a Medicaid recipient who requires the services**
8 **described in subsection (a) for at least two (2) years.**

9 **Sec. 7. Beginning January 1, 2027, in order to receive**
10 **reimbursement under this chapter, a provider must meet the**
11 **following:**

12 **(1) Be accredited by an applied behavior analysis accrediting**
13 **entity approved by the office of the secretary.**

14 **(2) Allow for an audit by the office of the secretary.**

15 **(3) Pass an audit conducted by the office of the secretary with**
16 **a score of at least eighty percent (80%)."**

17 Renumber all SECTIONS consecutively.

(Reference is to HB 1587 as printed February 4, 2025.)