

Legislative Analysis



NO RE-EVALUATION FOR CHILDREN WITH ASD

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4059 as enacted

Public Act 111 of 2021

Sponsor: Rep. Pauline Wendzel

Health Committee: Health Policy

Senate Committee: Health Policy and Human Services

Complete to 2-3-22

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4059 adds a section to the division of the Social Welfare Act that concerns county departments of social services. It provides that, if the initial evaluation was completed by a ***qualified licensed practitioner*** a child with a confirmed diagnosis of autism spectrum disorder (ASD) is not required to have a re-evaluation to determine continued eligibility for behavioral health treatment unless a re-evaluation is medically necessary.

Qualified licensed practitioner means any of the following:

- A physician with a specialty in psychiatry or neurology.
- A physician with a subspecialty in developmental pediatrics, development-behavior pediatrics, or a related discipline.
- A physician with a specialty in pediatrics or other appropriate specialty with training, experience, or expertise in ASD or behavioral health.
- A psychologist with a specialty in clinical child psychology, behavioral and cognitive psychology, or clinical neuropsychology, or other appropriate specialty with training experience, or expertise in ASD or behavioral health.
- A clinical social worker with at least one year of experience working within his or her scope of practice who is qualified and experienced in diagnosing ASD.
- An advanced practice registered nurse with training, experience, or expertise in ASD or behavioral health.
- A physician's assistant with training, experience, or expertise in ASD or behavioral health.

The bill takes effect March 30, 2022.

Proposed MCL 400.109n

BRIEF DISCUSSION:

The bill's proponents argued that the current re-evaluation requirement is redundant and costly. The bill would not affect the requirements that a new treatment plan for ASD patients be submitted every six months and a parent meeting take place every three months. However, because the yearly evaluation may only be performed by certain professionals, who may be limited in certain regions and thus create a barrier to treatment, the bill would require re-evaluation only when it was medically necessary. Reportedly, Michigan is the only state that requires an annual re-evaluation.

FISCAL IMPACT:

House Bill 4059 would have a minimal fiscal impact on the state and local units of governments (particularly the local Community Mental Health Services Programs (CMHSPs) that provide behavioral health services). The autism behavioral health services provided by the state and CMHSPs are almost exclusively Medicaid-funded. The current federal Medicaid reimbursement percentage is 64.08%, so any additional costs from this bill would be shared 64.08% federal and 35.92% state.

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Kevin Koorstra

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