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MINUTES

Name of Organization: Nevada Commission on Autism Spectrum Disorders
Date and Time of Meeting: March 21, 2019
4:00 p.m.
Las Vegas: DRC/ATAP
1391 S. Jones Blvd.
Las Vegas, NV 89146

Call to Order/Roll Call

Dr. Mario Gaspar de Alba called the meeting for the Nevada Commission on Autism Spectrum Disorders to order at 4:02 pm.

Members Present: Dr. Mario Gaspar de Alba, Gwynne Partos, Korri Ward, Ms. Ostrovsky

A quorum was declared.

Approval of the Minutes from the January 17, 2019 Meeting (For Possible Action)

Ms. Partos made a motion to approve the minutes. Ms. Ward seconded the motion. The motion passed.

Open Meeting Law Clarification and Questions

Ms. Linda Anderson, with the Attorney Generals Office, advised that she has been serving for twenty-five years. She stated that she is aware that the Open Meeting Laws can cause a lot of frustration. The intent of these Laws is to make sure the public has information and notice of when groups are taking very important actions.

There will always be an agenda. Ms. Anderson advised that there are two ways to include public comment; First, is to have one in the beginning of the meeting and one at the end of the meeting and the second way is to do public comment after each action item, then again at the end of the agenda like this commission has been doing it. The importance of the OML is to make sure the gathering of information the Commission receives is done in an open and public meeting. Sub-committee's also follow the same OML's. Ms. Anderson asked if anyone has any questions for her.

Ms. Partos asked if the Chair person can call on someone from the public during an agenda item?

Ms. Anderson answered that the Open Meeting Laws is to allow the public to participate, but at the same time, the meeting still must move forward and will need to keep the agenda flowing, so it all depends on the Chair's wishes. Whenever there's an action item, the way the agenda is currently set-up, there will need to be public comment. If it's a non-action item, it's at the Chair's pleasure to take comments, but typically you would take all those comments at the final public comment at the end of the meeting.

Ms. Renee Portnell asked if there is a website available to read up on the Open Meeting Laws?

Ms. Anderson answered, yes. The Nevada Attorney General's website has a very lengthy Open Meeting Law manual. Ms. Anderson also advised she can get a copy out to the staff if there's any difficulty getting it from the website.

Ms. Ostrovsky asked if there's a time limit for public comment?

Ms. Anderson answered that it is up to the Commission Chair. Three minutes is standard that people use, but she recommends that if comments extend over three minutes or if someone doesn't get to finish what they needed to say, it's a good idea to complete something in writing to post to the website and include in the minutes.

Ms. Partos asked if someone if someone didn't submit something in writing, can it still be included in the minutes?

Ms. Anderson stated that this is up to the Chair and if this happens, it would need to be noted in the minutes that it was received after the meeting. Another way to do that too is submit the written statement in advance so it can be posted prior so that everyone is aware of it before the meeting.

Dr. Gaspar de Alba stated that he will advise everyone of this.

Ms. Partos thanked Ms. Anderson for coming and sharing these laws with the Commission.

Ms. Anderson provided here direct line for anyone who has any further questions: 702-486-3077.

Update on Autism Treatment Assistance Program

Ms. Jayme had updated information posted to the website and advised that they are currently in the process of revamping this presentation. The Autism Treatment Assistance Program has moved in to a place where they are doing service coordination for any child that has Medicaid Fee For Service. ATAP is also trying to support the Rural Community by continuing to direct bill for any Medicaid cases that they may need, as well as if any issues that may come up that providers may need a couple of months of assistance with the Prior Authorizations. ATAP is working closely with their Quality Assurance team on making a policy to present to the Commission at the next meeting so that they can be involved of what it looks like when ATAP assists with these Prior Authorizations. ATAP wants to make sure they a maintaining that support to Providers while they direct bill Medicaid, so there's no gaps in services. One piece of this that some may be aware of is that they have had a provider here in the South that is no longer practicing or enrolled in Medicaid and they've signed some FA-11 forms (diagnosis form that is needed for PO for Medicaid) which caused a little snag that ATAP ran in to. ATAP is currently making sure there are no gaps within that time while they get new diagnosis form signed.

Ms. Jayme continued that ATAP has successfully moved their providers to direct bill Medicaid as the primary and the next thing they're looking in to, now that the CPT codes are in uniform across the board, they are looking at their population that has a primary insurance that covers ABA and Medicaid as secondary, so they're dually covered. ATAP will be working on a policy and a transition plan with their providers to start transitioning those families to be direct billed by the providers. Ms. Jayme stated that they held a Provider meeting this morning and they discussed this. Jamie Hutchison was at the meeting as well to help with any questions and has been at all provider meetings.

Ms. Jayme stated that she will make a great effort on keeping the Commission included as ATAP comes up with policies, so that the Commission can have some input and recommendations. ATAP is aiming to implement these policies by July 1st to give providers some time.

Ms. Jayme advised that ATAP is back to starting a lot of children off the waitlist and has reached out to their providers for availability. One piece that ATAP is struggling with are the children over 12, especially those with behaviors, so ATAP's been in contact with providers trying to place these children, as the younger children are getting placed right away.

ATAP is really exited on how the Autism Community has grown and how significant these changes have been regarding coverage for ABA Services. Medicaid covering, they now have, CBT codes which is really solidifying this field. As more children are covered by a primary insurance or Medicaid, ATAP is looking in to doing a needs assessment to see where the gaps are and see what families need for Autism support. Ms. Jayme advised that the biggest gap they're seeing is

significant and intensive parent training. ATAP does have a basic plan, which provides four hours of BCBA Supervision. This was meant for children that are transferring out of the program; maintenance, basic skills, transitioning to adult programs, but they're seeing that a lot more parent training is needed overall. ATAP has started meeting with providers because a lot of providers have evidence-based training models and ATAP will start developing an Intensive Parent training model, that's something Medicaid and insurances doesn't cover right now, they cover parent training within ABA Services, but not as intensive as some of these families need. Ms. Jayme mentioned starting children right out of Early Intervention right away and they're going through Behavior Services through EI that are happening frequently, but not forty hours a week. So, when providers request forty hours a week, I can be a little intense for these parents. So, ATAP's goal is to come up with a model that's almost a three-month transition plan in between intensive parent training and education as to what ABA is, to prepare these families for research-based therapy hours. Ms. Jayme stated that ATAP is always looking for feedback from the community to see if there's anything lacking.

Ms. Jayme mentioned a lot of conversation about ABA and rates due to current bills that have been introduced. With that being said, Ms. Jayme believes here's been a lot of new people coming in to this community that are not aware of the Autism Treatment Assistance Program does, so she would like to go over the program so that everyone is aware that ATAP does a lot more than just Applied Behavior Analysis. ATAP has a Comprehensive program that covers ABA, but also covers Early Start Denver Model. Not a lot of children are in this program because there are not many certified ESDM Practitioners, but ATAP will start partnering up with the Ackerman Center to do the ESDM. In addition, ATAP covers therapeutic plans; Speech, Physical Therapy, Occupational Therapy. ATAP also does social skills Plans as well. ATAP covers assistance with potty training, IEP Advocacy, therapeutic materials up to \$500. ATAP pays for travel over 50 miles, so they can help the Rural Communities. ATAP funds a Post Doc. Fellow through the Ackerman Center. ATAP has recently purchased 250 codes for the forty-hour RBT training, which are available to their providers to help limit the provider's cost in training their staff. In the past ATAP has had I-Pads and gift cards, so they're currently working on purchasing more for the next Fiscal year. These will be for the children that providers will write proposal's for to insure ATAP can help them and it becomes their I-Pad and their programming. ATAP also still helps with translation services as well. Ms. Jayme advised that ATAP assists with a lot and will update their newsletter as well to reflect these things, as well as showing what's happening for April (Autism Awareness Month). The newsletter will be sent out next week and posted to ATAP's website as well. Ms. Jayme mention that ATAP will be participating at a lot of the Events happening next month for Autism Awareness Month and to keep an eye out for them

Ms. Renee Portnell asked Ms. Jayme who they refer to after the child grows to an adult and out of the Autism Treatment Assistance Program?

Ms. Jayme answered that ATAP works very closely with the Regional Centers state wide and ATAP works to help transition the youth to the Regional Centers.

Ms. Partos asked about the transition model and if it's before they begin ABA services or is it when they're transferring out?

Ms. Jayme answered that it is a little bit of both. Something ATAP seen this last year was a lot of children that ATAP started at two years old, as soon as they started Intensive ABA they were overwhelmed, which they then dropped the ATAP program and wanted to come back at a later time. So, it was suggested to start the parent training at that point to give that education. Then ATAP also wants to do it on the back end, prior to either transitioning out or some of the youth ATAP is unable to staff with one on one ABA services. ATAP can get them parent training in the meantime. That way, they have a Behavior Analyst in their home looking at the behaviors and giving them some of that support until they're able to get picked up for ABA one on one services.

Ms. Partos stated that she loved the ATAP newsletter and asked when the next one will be sent out and how people can receive it or where it can be found?

Ms. Jayme advised everyone that it will be getting sent out next week and to either email Ms. Tiffany Ellis to request one or it can be found on ATAP's website.

Dr. Gaspar de Alba thanked Ms. Jayme for the update and for keeping the Commission involved. He asked Ms. Jayme if she can email Ms. Ellis anything that needs looked over by the Commission prior to each meeting, so the members can review before the meetings.

Mr. Eric Kessler, a BCBA for the LOOVAS Center, asked Ms. Jayme if a family's primary is Insurance and secondary is Medicaid, and the Provider is not a Medicaid provider? Will the family have to transition from that provider or does the family have an option not to accept Medicaid?

Ms. Jayme advised that this was mentioned at the provider meeting this morning and that ATAP will be sending out a parent letter stating that the parent will have to transition to a provider that accepts both of their insurances. Families can choose to stay with their providers, but then ATAP will most likely be unable to cover those co-payments since they're dually covered.

Ms. Lynda Tache asked about SB202, which talks a lot about coordination, and she is trying to understand that bill a little more and if ATAP plays a part in this bill?

Ms. Jayme's understanding as the bill is written is that ATAP will provide outreach to any child that the Department of Education has deemed educationally to have Autism Spectrum Disorder. ATAP would help outreach and get them linked to the appropriate provider. A lot of this ATAP already does, so it's more of a coordination thing with the Department of Education.

Discuss Subcommittee Report

Funding and Insurance

Ms. Tache stated that this sub-committee hasn't met formerly for the past month due to so many things going on with session. The only update Ms. Tache has is with SB174, which applies to this committee on the increase rate for RBT Medicaid rate/Transparency and audit reporting. Ms. Tache was so impressed when they testified and wanted to congratulate everyone because it was so coordinated. Every side spoke and had their point of view and it was very impressive. Ms. Tache thanked everyone for their participation. Ms. Tache wanted to remind everyone that they can always go to the Nevada Legislature website which has a link that will take you to NELIS to track all bills and do written testimonies.

Adult Services

Ms. Ostrovsky asked Dr. Gaspar de Alba to put Adult Services back on the agenda in hopes that the Commission can revise and appoint some people to this sub-committee and expand it. Ms. Ostrovsky advised she wants to be on this sub-committee and co-chair it if anyone else would like to join as Steven Cohen wants to be a part of it as well.

Ms. Portnell would like to be a part.

Ms. Ward would like to participate in this sub-committee as well.

Mr. Ralph Sacristm would like to continue to participate in this sub-committee.

Report the progress in moving Commission into Statute

Ms. Ostrovsky stated that Wednesday was a great day and if anyone gets a chance to speak with the Senators, to please thank them, as they worked with Health and Human Services to make sure the Autism Community could be there. SB216 is the bill that will take this Commission to Statute and it has one controversial piece and Ms. Ostrovsky would like to just have it completely removed from the bill so that it is a no funding clean bill. One thing put in there was to have standardized testing and evaluation and there were some people who were outspoken and again this. Ms. Ostrovsky did some research and it turns out almost everyone on this call do not have the skills/education background to determine the best assessment and another thing she found was Insurance companies, use different assessments for different things. The Commission is liable to bring this to a screeching halt if they try and standardize or get involved in those assessment processes. Ms. Ostrovsky stated it's one section in section 9 and one in section 10. Ms. Ostrovsky would like everyone's feedback on this and asked if anyone has any concerns in taking that out?

Ms. Partos believes this is a very wise move to remove that language because it does become very tricky.

Ms. Partos also mentioned how great it was on Wednesday and so wonderful having all the bills heard. She thanks the Representatives for their interest in Autism. There are no upcoming hearing dates for the other bills, but this can change quickly so stay tuned.

Dr. Gaspar de Alba agreed with removing the language as well.

Dr. Gaspar de Alba asked about the Financing and if this was figured out?

Ms. Ostrovsky advised that this would be updated as well.

Ms. Tache advised that in the past, if Committee's wanted to meet extra, she suggested looking in at Grants to help fund these meetings.

Legislative Update

Ms. Ostrovsky advised that there are fourteen bills and she doesn't want to get in to each of them, but AB287 is related to Medicaid, to increase the pay of practitioners of ABA when employer receives an increase in Medicaid. Which means if we get the adjustment in SB174, it must go directly to the RBT's. Ms. Ostrovsky is trying to clarify this bill and see why this bill was proposed but believes they may have mixed up RBT's with something else. This is in the process of being cleaned up and Ms. Ostrovsky will keep the Commission posted.

SB18 has a hearing coming up next week and she is trying to get more information on this bill.

Ms. Ostrovsky advised that things will be happening quick and to be aware. She will email them to Ms. Ellis before the next meeting to get them posted.

Ms. Ostrovsky wanted to remind everyone about April 9th If anyone plans to go to Carson City, she needs their names and if they have scheduled appointments. Ms. Ostrovsky is taking the 7:20am out which lands at 8:40am. Then returning on the 6:35pm. Once Ms. Ostrovsky receives the list, she will share it with everyone as they will be meeting at an office near by for coffee and bagels and to get organized. They will then walk over to the Legislative Building together, as it is a walk. She knows of about 15 people attending, but if you have families, please advise of this as well because it's always impactful.

Ms. Portnell has two bills she'd like to share: AB339, minimum wage for people with disabilities and SB315, working on getting a commission for rare conditions in children with disabilities.

Ms. Partos advised that there is a hearing coming up for SB350 on March 25th at 1pm and it is for the Promise Scholarship to include some changes in criteria.

Medicaid Update on ABA Coverage

Dr. Gaspar de Alba tabled this agenda item for the next meeting.

Ms. Hutchison did want to just say that they are moving forward with a new State Plan Amendment regarding ABA in the school districts. She doesn't have a lot of information but wanted to put that out there for everyone.

Confirm Dates for Future Commission Meetings (for possible Action)

The Committee decided their next meeting would be on April 2, 2019 at 4:00 p.m. Ms. Ward made a motion to accept the dates and times of the next meeting. Ms. Partos seconded the motion. The motion passed.

Public Comment

Ms. Portnell advised she will not be able to make it to the next meeting, but can email her the Legislative updates to Ms. Ellis

Ms. Anderson commented that this meeting was ran very well.

Ms. Ward commented that it sounded like if children had Medicaid and a Primary Insurance, that they will have to go to a Medicaid provider to receive benefits from ATAP. So, Ms. Ward is hoping that they can come up with a different kind of agreement so that parents are not pushed in to a corner.

Adjournment

Dr. Gaspar de Alba adjourned the meeting at 5:03 p.m.