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AGING AND DISABILITY SERVICES  
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**MINUTES**

Name of Organization: Nevada Commission on Autism Spectrum Disorders

Date and Time of Meeting: November 15, 2018  
4:00 p.m.

Las Vegas: DRC/ATAP  
1391 S. Jones Blvd.  
Las Vegas, NV 89146

1. **Call to Order/Roll Call**

Dr. Mario Gaspar de Alba called the meeting for the Nevada Commission on Autism Spectrum Disorders to order at 4:00 p.m.

**Members Present:** Dr. Mario Gaspar de Alba, Gwynne Partos, Julie Ostrovsky, Korri Ward, Sarah Dean

A quorum was declared.

2. **Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item)

Ms. Tache is very excited about being very active this session. One thing she wanted to stress is consistent meetings to keep everyone engaged and she highly suggests getting some of these meetings done in person or through video. If there is a cost for this, Ms. Tache asks to let her know so she can raise the money, as she believes this is important.

Ms. Renee Portnell stated that meeting in person will be difficult for her as she currently does not have transportation, so she suggests video conference would be best.

Ms. Lenise Kyrk with the Lovaas Center wanted to state some of the concerns again with the distribution of funds for the Insurance Assistance Plans. The change in the distribution is going to cause barriers for families to get access to services. As Lovaas is aware that ATAP is an assistance program, but with it wouldn't to assist families when accessing that insurance and the drastic reduction and hours due to that will drop kids far below any evidence-based amount of services. Ms. Kyrk believes the tricky part is that ATAP will still be spending the same amount of money. With some of the concerns, Ms. Kyrk is hoping to get more information and solutions today with the "ATAP Update" agenda item. Ms. Kyrk stated that the distributions of funds moving forward is not going to work for families unfortunately.

Ms. Ostrovsky wanted to let people know that she is working on a day were all can go up. Ms. Ostrovsky and Ms. Portnell will be talking about Legislative tracking and she is currently working on getting that information out to everyone. She believes that face to face meetings with Legislators are very important, and if you're in a legislative district, write them a letter or send them a note, letting know your concern. Ms. Ostrovsky stated that this is incredibly powerful.

Ms. Kelly Venci Gonzalez with the Legal Aide Center of Southern Nevada would like to see if there are any plans for the Commission to have the various heads of departments that deal with funding for ABA come and present on what their efforts are to locate more service Providers, especially for kids on Medicaid. If there are any efforts being made by this various Government entity to increase rates so that kids on Medicaid can have access to ABA services and not stuck on the waitlist for so long.

Dr. Gaspar de Alba asked for Ms. Gonzalez to specify which department.

Ms. Gonzalez knows that the head of Medicaid, as they have been speaking with them. She stated that she can get the exact name and information to him of the person they have been speaking with. Ms. Gonzalez also mentioned Welfare and the Autism Treatment Assistance Program.

3. **Approval of the Minutes from the October 4, 2018 Meeting (For Possible Action)**

Ms. Partos made a motion to accept the minutes. Ms. Dean seconded the motion. The motion passed.

4. **Report the progress in moving Commission into Statute**

Dr. Gaspar de Alba advised that the Governor signed for the Commission to move forward in 2019.

Ms. Ostrovsky stated that the Legislators are getting ready to go, and when that comes up, we need to make sure that we support our Senator who proposed it and make sure that gets passed.

Ms. Partos suggests continuing with more frequent meetings and to be more proactive.

## 5. **Autism Treatment Assistance Program Update**

Dr. Gaspar de Alba suggests in the interest in time, to pass on the slides and focus on the distribution of funds for Insurance Assistance plans.

Ms. Samantha Jayme advised that she did mention this at the July Autism Commission meeting at the beginning of the fiscal year, about enforcing policies and staying within ATAP's Legislative approved budget. This includes the Insurance Assistant Plans, which ATAP assists with Co-pays or deductibles up to \$500 a month, not to exceed a \$6000 annual limit. Ms. Jayme advised that this isn't something that has changed but rather to stay within our Legislative approved budget, ATAP has been enforcing this policy this fiscal year.

Dr. Gaspar de Alba understands that the concern would be the \$500 a month/\$6000 a year in Insurance Assistance with families that are required to meet a certain deductible, it would make it difficult to get the amount of services that they need for the \$500 up front until they've met that deductible. Dr. Gaspar de Alba asks if there is a way to front load that, where it's still \$6000 for the year, but is front loaded to help families pay the deductible?

Ms. Jayme stated that ATAP is unable to front load the deductible but is currently exploring a policy criterion that will consider financial hardship for families because ATAP understands that each insurance is different, and many families have co-pay insurances or co-insurance plans. There're even some high detectable plans that families bought in the middle of the year in order to stay with their Provider, so ATAP is taking in to consideration all the insurances policies. Ms. Jayme stated again that ATAP is unable to front load the deductible, due to auditing purposes and making sure that the money is being spent in a responsible way. As ATAP understands this is difficult for some families, ATAP is educating their families now during open enrollment with things to look for and has had Providers send out newsletters with helpful tips for insurance plans so families can really look in to that and what best suits their child's Comprehensive needs.

Dr. Gaspar de Alba asks if Ms. Jayme knew exactly how many kids would be affected?

Ms. Jayme thinks they may be able to gather that information more towards the first of the year, because open enrollment just started in November, ATAP is unsure as to what insurances will cover and what the Providers will accept. Especially because every business model is different, ATAP is waiting on that kind of information to come around, then hoping that Providers will share this information with ATAP as well.

Dr. Gaspar de Alba's own concern with this is that there will be a drop in service hours for kids, but there's not much to do about.

Ms. Jayme mentioned that she has been encouraging families to get involved with the Insurance and Funding Sub-Committee meetings, because she thinks a lot of it is an

access to insurance issues that may be addressed within this Sub-Committee of the Commission.

Ms. Tache agreed with this and thinks it would be great if providers can get more involved in the Insurance and funding Sub-Committee.

Ms. Jayme advised that the Autism Treatment Assistant Program will be on the next Insurance and Funding Sub-committee meeting agenda and will be participating more often.

Ms. Partos asked if this was situation was coming from the State?

Ms. Jayme advised that it is not coming from the State, that it is an ATAP policy.

Ms. Ward stated that front loading would work best. As a parent, she would not be able to pay that up front and believes that this is something that needs to get worked out.

Ms. Rique Robb stated that the word "front load" is not a State word and would like clarification of what this means.

Ms. Word explained as a parent this means making the money available to pay the child's co-pay or deductibles up until the family reaches the maximum for that child.

Ms. Tache stated she sees it as an advancement.

Ms. Robb asked everyone to keep in mind, when dealing with State funds and Federal funds, advancing or prepaying means paying for something that hasn't happened yet but anticipating that it will, so this is definitely something that the State is not in practice of doing.

Ms. Robb mentioned one of the problems found is that because ATAP is a fiscal year and many insurances are calendar years, there's a lot of cross over there. There're multiple challenges so ATAP is trying to get this lined out and be consistent.

Ms. Tache asked if it was possible to lump sum the money? Since it's all being used for that service, so instead of spreading it out over months, would it be possible to just lump sum whatever the family is awarded?

Ms. Robb clarified that it is up to the \$6000, so it doesn't mean that it is a guaranty \$6000 per child for that year. In some cases, some only have a \$3500 deductible, so ATAP wouldn't pay anything over that \$3500 when hitting that max. Ms. Robb mentioned what happen last fiscal year. ATAP was in the middle of the calendar year and were out of money and as most know, there were conversations of having to cut services and due to ATAP "front loading" they were to this point. If everything is paid in January, by the time we get to April/May, the funds are not there and without having revenue coming in, there's no way to guarantee that there will be services for April/May/June. Therefore, ATAP is holding strong to their policy. Ms. Robb stated she would much rather put this policy in

place rather than having to cut services at the end of the fiscal year. Ms. Robb never heard of any other Disability Program, that she is aware of, that pays for the full deductible.

Dr. Gaspar de Alba thanked Ms. Robb for the information and hopes to hear more about this at the Funding and Insurance Sub-committee meetings.

6. **Nevada Early Intervention Services Update**

Dr. Gaspar de Alba tabled this agenda item.

7. **Medicaid Update; code changes, reimbursements**

Dr. Gaspar de Alba tabled this agenda item.

8. **Discuss Subcommittee Report**

**Funding and Insurance – Lynda Tache**

Ms. Tache followed up on the last report that was given, proposing to the Commission, based on the conversations with Providers and families, that across the board, BCBA and BCaBA rates are adequate but the RBT rates are not enough. This is the biggest part in helping provide services for children and this bill would propose a rate of \$50 for RBT's. Ms. Tache has been provided a rate chart for every State who provides Medicaid services and Nevada has one of the lowest RBT rates in the country. Massachusetts had the same issue, and in 2014 they proposed an RBT Rate increase Bill, which got passed and helped with getting more Providers on board.

Ms. Tache feels that a decision needs to be made for this bill, as she currently feels it's currently at a standstill.

Ms. Dean mentioned that part of the issue too is Interventionists working with families prior to their RBT Certification and Providers having to come out of pocket to pay them because Medicaid will not reimburse until they are RBT Certified.

Ms. Ostrovsky loves the idea and suggests getting an action item on the next meeting agenda.

Ms. Tache continued with more updates. She mentioned people having some concerns with the co changes at the beginning of the year, but it looks like all those things have been resolved, which is great. Other discussions in our community is expanding Rural services, expanding coverage for additional evidence-based treatment and eventually an age increase for ATAP/Medicaid/Private insurance. Ms. Tache stated that these are just issues that are in the background that they will continue to work on.

Ms., Tache advised that the next Insurance and Funding meeting is set for November 29, 2019 at 12pm.

### **Adult services – Discuss Subcommittee Chair**

Dr. Gaspar de Alba advised that Ms. Renee Portnell agreed to be the Chair for this Subcommittee.

### **Workforce development – Discuss Subcommittee Chair**

Dr. Gaspar de Alba advised that they are still working on getting a Chair for this Subcommittee.

#### **9. Legislative Update**

Ms. Portnell stated that there still is not a lot going on here and will not be until around February. Nothing has been added. And it is currently just a waiting game.

#### **10. Confirm Dates for Future Commission Meetings (for possible Action)**

The Committee decided their next meeting would be on December 4, 2018 at 4:15 p.m. Ms. Partos made a motion to accept the date and time of the next meeting. Ms. Ward seconded the motion. The motion passed.

#### **11. Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item)

Ms. Tache would like to switch the Funding and Insurance Sub-committee meeting to December 4, 2018 at 12pm instead of November 29, 2018 at 12pm.

Ms. Portnell asks anyone who is attending the Autism Conference in Las Vegas on November 29, 2018, to please grab any information and pass it on.

#### **12. Adjournment**

Dr. Gaspar de Alba adjourned the meeting at 5:00 p.m.