



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AGING AND DISABILITY SERVICES  
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**MINUTES**

Name of Organization: Nevada Commission on Autism Spectrum Disorders

Date and Time of Meeting: May 25, 2017  
3:30 p.m.

Location: Nevada Early Intervention Services  
3427 Goni Rd., #102  
Carson City, NV 89706

I. Call to Order/Roll Call

Dr. Mario Gaspar de Alba called the meeting for the Nevada Commission on Autism Spectrum Disorders to order at 3:31 p.m.

Members Present: Mario Gaspar de Alba, Gwynne Partos, Sarah Dean and Julie Ostrovsky

Staff Present: Tiffany Ellis, Brook Adie, Samantha Jayme, Jana Khoury

Guests: Steven Cohen, Veronica Smith, Jamie Johnson, Ella Philander, Shannon Sprout, Ralph Sacrison, Michelle Scott-Lewing

A quorum was declared.

II. 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)

Mr. Cohen reported information on some bills:  
SB 286 has been scheduled for Monday (Memorial day), around 1 p.m. in room 4401 in the South and 3138 in the North.

Mr. Cohen mentioned tomorrow, Saturday, May 26th at 8 a.m. Assembly Ways and Means is considering a JDT bill. He will be working on documents to submit. The bill in question is AB 224.

Mr. Cohen also stated A small victory this morning regarding SB 225, which is a bullying bill.

Mr. Cohen said SB 213 is another one he is in the process of working on to reflect the recent Supreme Court decision on IEP progress.

Mr. Cohen believes AB 304 unanimous passed.

### III. Approval of the Minutes from the May 19, 2017 Meeting

Ms. Ostrovsky made a motion to accept the minutes as they were written. Ms. Partos seconded the motion. The motion passed.

### IV. Review and Make Recommendations on Legislative Bills (SB 286 and AB 304) Related to Autism

Ms. Ostrovsky stated for AB 304 there are fantastic opportunities for access to services for people with Autism and a nice amendment came in at the end for coverage. For children diagnosed before three years old, Medicaid opportunities do Early Intervention. It is now on its way to the Governor and we're hoping for a signature.

Ms. Ostrovsky stated she sent out a link for SB 286, as some people have not seen the bill. The top paragraph is a summary of the Act. She also contacted all providers that commented or testified on this bill to see if they still had any concerns. There are still some concerns with some providers and Ms. Ostrovsky wanted to share some with the Commission. First was concerns with the practice act who can offer behavioral services and who can be called a Behavior Analyst. Another one was that Behavior Analyst work with a lot of different kids and do a lot of other thing and they didn't want to be pigeonhole. The next one which was the biggest concern across the board is those being licensed feel like a conflict of interest. If there's a problem, does it go to the board? What if the problem is with ADSD? Can it be brought to the board and not be a conflict of interest? Every single provider brought that issue up. Another issue is that it is a self-funded board.

Ms. Ostrovsky asked what should be done. Should this all be summarized and submitted to the Legislator as concerns that have been brought to the Commission, should each provider submit their concerns individually or should we do both.

Ms. Dean answered that she thinks it would be best from each provider.

Ms. Dean had a question regarding the RBT part of the bill and asked why the state was going to look at developing something that is equal/similar to the BACB

requirements to become certified/licensed. She also asked where the funds will be coming out for this.

Ms. Ostrovsky was told it was put in there to expedite the certification and get people through faster in order to put more providers on the street. Ms. Ostrovsky did not have any information on the funding and asked Ms. Adie if she has any information on it.

Ms. Adie advised that she hasn't really been a part of any discussions that have gone on about this bill.

Ms. Shannon Sprout from Medicaid answered that they thought it would create another avenue for Medicaid billing and would then open up services to increase the access. Current approved state plans require billing be at the level of a certified Registered Behavior Technician by the board. So by adding these qualifications in to the bill to create another type of certification or equivalency does not obligate Medicaid to cover that service.

Ms. Sprout advised that Medicaid's budget just closed (for two years) and they do not have any funding associated to add to for ABA services at this time.

Dr. Gaspar de Alba asked if there was anything in there about time frame. As far as how long a person can be a pre RBT or Behavior Technician.

Ms. Adie answered that ATAP allows Behavior Technicians work for six months while they are in the process of obtaining their certification. If it is not completed within six months, then ATAP will no longer pay for their services.

Ms. Sprout answered at this point of time, the only things that can be paid through Medicaid are those that are Register/Certified Behavior Technicians and Sociologists. Anyone else would not be covered.

Ms. Partos brought up another concern of agencies and families that were not aware of the timeline for RBT. She asked what the means are for making sure agencies and families are aware of all the changes.

Ms. Adie advised that ATAP shares all information to both providers and families by reaching out by email, phone calls, letters and face to face conversations and it would be a similar approach for any other future changes.

Dr. Gaspar de Alba stated, looking at the concerns, do we agree as a Commission that we want to (separately and/or from the individual providers) send a letter with all the concerns.

Dr. Gaspar de Alba asked if there is a motion to approve a letter of support for these concerns as listed, including ones that will be added for board members. Ms. Dean made a motion to approve a letter of support for the concerns. Ms. Partos seconded the motion. The motion passed.

Ms. Ostrovsky will clean up the letter and send it out to the members so it can be sent out before Monday.

V. Request for a letter of intent regarding Autism Treatment Assistance Program (ATAP) and Medicaid coverage of Applied Behavior Analysis (ABA) services for children with autism

Dr. Gaspar de Alba advised that a draft letter was posted to the website. He mentioned that there are two parts of the letter. The first part being the amount of money being allocated for treatment services. As well as the waiting list and caseload that is still there. The second part of it is the reporting part. There's a lot of numbers and data listed at the bottom of the letter that should be reported uniformly.

Ms. Ostrovsky stated that it was brought up that people receive different reports and different information each time. So this is just to make sure that this Commission along with the other Commissions are all sharing the same data when we talk with each other. She stated that this was the biggest point along with increase and sustained funding.

Dr. Gaspar de Alba asked if there is a motion to approve sending this letter to Ways and Means and the Joint committee.

Ms. Partos made a motion to approve sending the letter to Ways and Means and the Joint committee. Ms. Ostrovsky seconded the motion. The motion passed.

VI. Confirm Dates for Future Meetings

The Commission decided to meet on June 2nd at 3:30 p.m. Ms. Ostrovsky made a motion to accept that day and time for their next meeting. Ms. Dean seconded the motion. The motion passed.

VII. 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. Ostrovsky commented that they were challenged this week finding out that the Commission was no longer able to have meetings beyond July 1st. Dr. Eddie Ableser met with Ms. Ostrovsky and they are going to find a way to keep meeting and get support from ADSD. Ms. Ostrovsky appreciates ADSD.

VIII. Adjournment

Dr. Gaspar de Alba adjourned the meeting at 4:30 p.m.