



Nevada Commission on Autism Spectrum Disorders

August 4, 2023

The Honorable Governor Lombardo
101 N. Carson Street
Carson City, Nevada 89701

Dear Honorable Governor Lombardo,

As chairperson of the Nevada Commission on Autism Spectrum Disorders (CASD), I am honored to offer the following recommendations of the Commission and update you on the activities of the Commission as required by NRS 427A.8801.

The CASD was fully appointed this spring. Shortly thereafter, we held our first meeting of 2023 on May 31. During the 82nd legislative session budgets and bills were passed providing Commissioners with hope of improved quality of life for people impacted by autism.

Since the onset of the pandemic, many Home and Community Based Waiver (HCBW) providers have shuttered their doors or reduced their services. This has placed adults with autism at risk for institutionalization and parents at risk of having to quit their jobs to provide daily care for their adult family member with autism. The Commission commends the acceptance of the Burns Report into the budget. These changes are significant and will allow for an increased wage for direct care staff along with other employee benefits to help grow the HCBW provider pool and workforce.

Regarding legislation, the Commissioners recognize that several bills which passed lay the foundation to better meet the needs of people with autism and their families.

- **SB315** promotes HCBW providers to implement person centered services. Ensures parents and students are informed about supports and services in their community prior to exiting high school.
- **SB385** adds vision and dental services to Medicaid, which improves the health of adults with autism.
- **SB411** allows juvenile court to access autism treatment programs, which addresses the child's core needs.

Board Members

*Korri Ward, Rural
Representative
(Chair)*

*Corey Nguyen,
BCBA, (Co-Chair)*

*Anna Marie-Binder
Representative of the
Public at Large*

*Any Walch, MEd
Parent of a Child
Over Age 12*

*Amy Coyne
School District Rep
(Clark County)*

*Linda Tran
School District Rep
(Washoe County)*

*Nichole Muhoberac
Parent of a Child
Under Age 5*



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- **SB191** Increased the applied behavioral analysis (ABA) treatment age through 26 years old, which will help young adults transition into independent living and working.
- **SB259** requires job and day training programs to pay minimum wage.
- **SB279** will increase autism acceptance and provide opportunities for adults with autism to obtain a fruitful career.
- **AB161** will help first responders and law enforcement better respond when providing care or interacting with people with autism in the community.

Thank you for passing these bills into law.

CASD SUBCOMMITTEES

In June 2023, the Commission re-established subcommittees. Anna Binder will be chairing the Insurance and Funding subcommittee, which gathers data regarding adult resources, Autism Treatment Assistance Program (ATAP) services and access to ABA through Medicaid. Corey Nguyen will be chairing the Workforce Development subcommittee, which gathers data to determine the quantity and quality of Nevada's workforce serving individuals with autism across their lifespan.

NEEDS OF PERSONS WITH AUTISM SPECTRUM DISORDERS AND THEIR FAMILIES

Adults

Adults with autism spectrum disorders (ASD) in Nevada are being excluded from their health insurance benefit for ABA based solely on their age. NRS 689A.0435 allows private health insurance to limit autism treatment to students in high school or people under the age of 18 years old. Medicaid terminates treatment at 27 years old and ATAP stops treatment at 19 years old. Yet according to the 2008 Report of the Autism Task Force, "it is vitally important to understand that the methods of ABA are remarkably successful with older children and adults with ASD." (p.90) Furthermore in 2008, the Mental Health Parity and Addiction Equity Act (MHPAEA) was released, which provides equity in treatment for mental health diagnoses.

In 2017 the NRS was adjusted to define autism spectrum disorder as a condition that meets the diagnostic criteria as published in the Diagnostic and Statistical Manual of Mental Disorders. Despite the Commissioners' efforts over the years, adults over 26 are not ensured access to treatment by Board Certified Behavior Analysts (BCBA) through their health insurance.

The Regional Centers oversee HCBW services for adults with significant autism, including adults with multiple diagnoses who require a complex array of supports to live in their community. These adults are at high risk of institutionalization due to barriers to accessing services through a BCBA. Receiving BCBA services through the Regional Centers is little



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known and difficult to access. The Commission is advocating that BCBA services be funded through private health insurance and Medicaid throughout an individual’s lifespan.

Children and Young Adults Receiving ABA Treatment Through Medicaid

Medicaid presented data to the Commission which demonstrated that for the first two quarters of 2020 clients received an average of 4.7 hours per week of direct services delivered by a Registered Behavior Technician (RBT). In 2019, the data indicated a slightly lower average of 4.5 hours per week. According to the 2008 Autism Task Force Report “research indicates that 30-40 hours per week provides optimal benefit.” To ensure treatment outcomes that promote lifelong living in their community, the Autism Commission is advocating that children and young adults accessing ABA through Medicaid have access to a level of care that meets evidence-based standards.

Autism Treatment Assistance Program (ATAP)

Age Cohorts of ATAP clients	Statewide as of June 2022
Total	974
0-3	21
3-5	199
6-8	291
9-11	188
12-18	242
19	33

Table 1. Presented by ATAP, 2022

June 2022 Data	Number
New applicants in June 2022	71
Waitlist - children under 3 y/o	3
Waitlist - children 3-7 y/o	4
Waitlist - over 7 y/o	1
Average days on waitlist	45
Clients being served as of June 2022	974

Table 2. Presented by ATAP, 2022

The transition to adulthood, community living, and employment requires the generalization of skills and ongoing utilization of coping strategies. The Commission supports the diversification of ATAP funding to expand services to people with autism across their lifespan. This change would require ABA providers to implement learning and development initiatives to their employees to improve their skills and expand their knowledge to include working with adults with challenging behaviors. In addition, the Commission would like ATAP to develop strategies to gather data regarding utilization of services and longitudinally track the status of clients who have transitioned out of the program.



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Nevada Early Intervention Services

Fiscal Year	Number of Children Diagnosed with Autism	Average Age (in months) at Time of Diagnosis
FY22	368	31
FY21	295	31
FY20	233	30

Table 3. Provided by Nevada Early Intervention Services

The Commission supports every child having an early diagnosis and an immediate referral to ATAP, Medicaid, or private insurance to begin evidence-based hours of ABA services overseen by a BCBA.

Nevada Department of Education

According to Individuals with Disabilities Education Act data for 2021-2022 school year the Nevada Department of Education only served 9,655 students with autism ages 3 - 21. The Commissioners noted that that this count represents students with an Individualized Education Plan (IEP) primary eligibility of autism only. Students with autism who are eligible with a secondary diagnosis or have dual or multiple diagnoses are not included in this count. The Commission supports increasing the workforce of developmental specialists, teachers with autism endorsements, BCBAs, and RBTs to serve this large population of students with autism.

Department of Health and Human Services (DHHS) Aging and Disability Services Division (ADSD)- Number of Individuals with Autism Spectrum Disorders Served Through Regional Centers

Age Cohorts	Statewide	Desert Regional Center	Sierra Regional Center	Rural Regional Center
Total	1,779	1,278	326	175
0-17	690	518	112	60
18-20	266	190	51	25
21-24	308	213	64	31
25 and older	515	357	99	59

Table 4. Includes individuals with a primary diagnosis of autism.



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The Commission recognizes that some adults with autism may require specialized services to live in their community. The Commission recommends that adults with autism are offered BCBA-specialized services within their Regional Center service plans. The Commission also recommends that the BCBA reimbursement rates for adults be equivalent to or higher than the Medicaid rates for similar services for children. The Commission also cautions that steps must be taken to prevent HCBW providers from selectively excluding clients with challenging behaviors.

Applied Behavioral Analyst Providers from the Nevada Applied Behavior Analyst Board

Credential	September 2022	July 2023
Licensed Behavior Analyst	517	599
Licensed Assistant Behavior Analyst	44	53
Registered Behavior Technician	1958	2143

Table 5. Sourced from Applied Behavior Analyst Board July 2023,

The Commission is pleased that their ongoing workforce development efforts contribute to the continued growth of applied behavior analysis providers. Yet, despite the increase in workforce, both children and adults with autism are unable to access evidenced based levels of care.

Applied Behavior Analysis Providers Enrolled in Medicaid

Provider	August 2022	January 2023
Licensed Behavior Analyst	308	321
Licensed Assistant Behavior Analyst	22	26
Licensed Psychologists	6	8
Registered Behavior Technician	1331	1321

Table 6. Sourced from Applied Behavior Analyst Board July 2023,

OUTCOMES FOR PEOPLE RECEIVING SERVICES

Department of Health and Human Services, Vocational Rehabilitation and Nevada Department of Education data systems do not provide the metrics necessary to ascertain long term outcomes of people with autism. The Commission supports establishing a data system across



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programs and services that measures long term outcomes and satisfaction of people receiving services.

CONCLUSION

We value the support and guidance we receive from your Chief of Staff, the ADSD staff members, and state agencies. Furthermore, the Commission is proud to recognize and applaud our State Legislators for their ongoing support of the Regional Centers, Department of Education, Medicaid, and ATAP. We look forward to working with those who will be continuing their state service and welcoming those who will be beginning their terms of service.

Under your leadership the commission is honored to continue to research and recommend effective and efficient services which promote optimal outcomes and assist all Nevadans with Autism Spectrum Disorders in achieving their full potential and living in their community.

With determination and gratitude,

Korri Ward, Chair

Commission on Autism Spectrum Disorders