

# MASSACHUSETTS ADVOCATES *for* CHILDREN



Via first class mail and email ([masshealthpublicnotice@state.ma.us](mailto:masshealthpublicnotice@state.ma.us))

November 5, 2013

Executive Office of Health and Human Services  
Office of Medicaid  
One Ashburton Place, Room 1109  
Boston, MA 02108  
Attn: Kristin Thorn, Medicaid Director

Dear Ms. Thorn:

Thank you for the chance to comment on the proposed 2014 MassHealth regulations. The Autism Center of Massachusetts Advocates for Children (MAC) strongly urges EOHHS to amend proposed 130 CMR 506.012 to allow Premium Assistance for coverage in the individual market at the request of the beneficiary. This coverage is critical to address the health needs of children with Autism Spectrum Disorder (ASD), as the individual market provides mandated benefits, such as Applied Behavioral Analysis (ABA), that are not generally available through MassHealth.

ABA is widely recognized as one of the most effective treatments for children with ASD. Many studies have shown that ABA results in increased communication, social, and self-care skills, as well as in a reduction of maladaptive behaviors. The United States Surgeon General highlighted the importance of ABA: “Thirty years of research demonstrated the efficacy of applied behavioral methods in reducing inappropriate behavior and in increasing communication, learning, and appropriate social behavior...the goal of treatment is to promote the child’s social and language development and minimize behaviors that interfere with the child’s functioning and learning.” Department of Health and Human Services, Mental Health: A Report of the Surgeon General (1999).

Despite these proven benefits of ABA, the Commonwealth’s children with ASD are unable to access necessary treatment through MassHealth, as highlighted by the recently issued Massachusetts Autism Commission report. The Autism Commission recommended that the state take action necessary to cover medically necessary treatments such as ABA through MassHealth. Report from the Governor’s Special Commission Relative to Autism (2013), at p. 18. This is an equity issue. Children with ASD from families who are low-income should have access to commensurate coverage for medical treatments as required under ARICA, which governs private insurance. We concur with the Commission’s recommendations, and believe that MassHealth should ultimately include ABA for children with ASD in all coverage types. However, in the immediate future Premium Assistance must be available as an option for children and their families.

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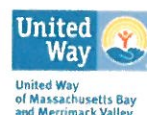
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Premium Assistance through the individual market is also a cost-effective mechanism to ensure essential treatment for children on the autism spectrum. In many instances, timely access to ABA services can prevent children with ASD from entering costly and highly restrictive hospital settings. MAC has advocated on behalf of children with ASD who, due to an inability to access ABA services, were admitted to extended hospitalizations after exhibiting highly unsafe behaviors, including bolting, significant physical aggression, and self-injurious behaviors. Recently, MAC worked with two children who stabilized quickly once they began to receive ABA within the hospital setting; however, the hospital could not recommend discharge where these children would not have access to ABA once they returned home.


MAC strongly supports the continuation of Premium Assistance coverage for insurance purchased in the individual market. We strongly recommend that EOHHS amend proposed 130 CMR 506.012 to allow premium assistance for coverage in the individual market. This coverage is essential to ensure treatment for the Commonwealth's children with ASD.

Thank you very much for your consideration of our comments. We welcome the opportunity to discuss them with you further.

Sincerely,



Julia Landau  
Autism Center Director



Tina Fitandides  
Policy Analyst



Amanda Klemas  
Staff Attorney