

## Applied Behavior Analysis (ABA) Services

### ABA Services Provided in the Schools

**For Providers:** All services provided during a child’s academic day must be determined through the individual education program (IEP) process. These services are paid for by the local school district. Providers of the requested service must be contracted with the local school district to become a “related service” in order to provide the service within the school.

Per Melody Musgrove ED.D. , Director, Office of Special Education Programs, United States Department of Education, on July 6, 2015:

“Under Part B of the Individuals with Disabilities Education Act (IDEA), each State and its public agencies must ensure that a free appropriate public education (FAPE) is made available to all eligible children with disabilities (34 CFR 300.101 and 300.17).”

“When conducting an initial evaluation under Part B the public agency must ensure the child is assessed in all areas related to the suspected disability, including , if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.”

“ABA therapy is just one methodology used to address the needs of children with ASD and I remind States and local programs to ensure that decisions regarding services are made based on the unique needs of each individual child with disabilities.”

### What is Special Education?

Special education is defined as specially designed instruction, at no cost to the parent, to meet the child’s unique needs. Special education can include classroom instruction, home instruction, instruction in hospitals and institutions or other settings. Special education services may be supplemented by related services.

### What are related services?

Related services are defined as transportation and such developmental, corrective and other supportive services required to assist a child with a disability to benefit from special education. Related services may include:

- Speech – language pathology and audiology services
- Interpreting services
- Psychological services
- Physical and occupational therapy
- Recreation, including therapeutic recreation
- Early identification and assessment of disabilities in children

**Related services (continued)**

Counseling services including rehabilitation counseling  
Orientation and mobility services and  
Medical services for diagnostic or evaluation purposes

**For Caregivers/ Guardians:**

If you are requesting the school to allow ABA services to work with your child during their school day the following must occur:

Services within the school day are the responsibility of the school, under IDEA – Part B. Providers of requested service must be contracted with your local school district to become a “related service” in order to provide the service within the school.

**If Child is Not on an IEP:**

Parents request initial evaluation and assessment process based on independent evaluation diagnosis of ASD.

Evaluation and assessment process is scheduled and completed. Consideration of the independent evaluation is included in this meeting. An IEP meeting is scheduled, if appropriate.

**If Child is on an IEP:**

Parents request team meeting to discuss independent evaluation and possible update of current IEP.

**During IEP meeting:** (either initial or update)

- Child’s strengths and academic, developmental and functional needs are reviewed.
- Child’s goals and objectives are agreed upon based on the assessment and evaluation completed prior to IEP meeting.
- Child’s identified needs will be paired to specific special education and related services to address the academic, developmental and functional needs determined by the evaluations.
- IEP team will determine the type of service, how long the services will last and the amount of services provided within child’s school day.

These services are contracted through the local school district. The IDEA’s IEP and process are designed to ensure that an appropriate program is developed to meet the unique individual needs of a child with a disability, and that services are identified based on the unique needs of the child by a team that includes the child’s parents.

Per Dr. Cathy Pratt, BCBA-D, Indiana Resource Center for Autism:

“While schools should be made aware of the curriculum goals taught in ABA therapy, these goals may not always translate to the educational setting. Conversely, schools should be aware of the goals that are being addressed in ABA programs.”

“Final goals will need to be developed in collaboration with the receiving school through the individualized education program (IEP) process.”

“The school and ABA team should discuss what is feasible and realistic in a school setting, but also develop a plan based on what is known to work with the child.”

## **Medicaid Funded ABA Service provided outside of schools**

**For providers:** For ABA Service to be provided in environments outside of the school setting, the child must be on Medicaid and must have a 12 month prior approval letter from ND Medicaid. Providers must be enrolled with Medicaid to provide ABA Services.

**For parents:**

**If child is receiving service through a Medicaid waiver:**

**Waiver service of In-Home Support or Respite:** There may be instances where a child and his/her family have been approved for in-home supports or respite, via a home and community-based services (HCBS) waiver and may also need to receive ABA services via the Medicaid State Plan. This is allowable; however, the purpose for each service is distinctly different.

In-home support is authorized to meet the family’s needs in the following areas:

- \* Second pair of hands – caregiver(s)/guardian(s) are present and able to direct staff, however, is unable to meet the health and safety needs of the participant, on their own.
  - \* This may include needing staff assistance in lifting, transferring, bathing, feeding, etc.
  - \* This may also be considered when caregivers/guardians are sleeping and staff is monitoring the participant to ensure their safety.
- \* Supervision – caregiver(s)/guardian(s) are unavailable due to work or attending school
- \* Respite – caregiver(s)/guardian(s) are unavailable due to any other reason than work or school

In-home supports/respite can be provider-managed or self-directed, and may be accessed to meet the excess care needs related to the individual’s disability associated with maintaining an individual in their primary caregiver's home.

There is no intention that in-home support or respite serves a therapeutic purpose. The waiver states: in-home support cannot be provided for the purposes of administering a specialized curriculum or service that is not specifically identified on the participant's service plan (Individual Service Plan section of the plan). Respite is defined as care to an eligible individual for a specified period of time for the purpose of providing temporary relief to the individual's primary caregiver from the stresses and demands associated with daily care. Since ABA services are not waiver services, these will not be authorized on the child's waiver service plan.

The goals of in-home support or respite and that of the ABA services must be reviewed by the child's waiver team to determine that there is no duplication of service (i.e. in-home support staff would assist with the activities of daily living (ADL) task of grooming and this is also one of the goals of the ABA therapy). In that situation, in-home support staff cannot be paid for using waiver funds, as both professionals are working with the child for the same purpose.