

FILED FEB 13 2002

SENATE FILE 2161
BY HORN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act directing the department of human services to request a
2 home and community-based waiver under the medical assistance
3 program from the federal government for individuals with
4 autism spectrum disorder.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

SF 2161 HUMAN RESOURCES

1 Section 1. MEDICAL ASSISTANCE PROGRAM WAIVER REQUEST --
2 INDIVIDUALS WITH AUTISM SPECTRUM DISORDER.

3 1. The department of human services shall seek a home and
4 community-based services waiver under section 1915(c) of the
5 federal Social Security Act from the centers for Medicare and
6 Medicaid of the United States department of health and human
7 services to allow eligible individuals with autism spectrum
8 disorder to receive waiver services to support the individuals
9 in their homes and communities. The department shall report
10 on the progress of the waiver request on or before October 1,
11 2002.

12 2. An individual shall be eligible for services under the
13 waiver if the individual meets all of the following
14 conditions:

15 a. The individual has been diagnosed with or at risk for
16 autism spectrum disorder which includes the following
17 disorders as defined in the diagnostic and statistical manual
18 of mental disorders-fourth edition (DSM-IV) as 299.00 autistic
19 disorder, 299.10 childhood disintegrative disorder, 299.80
20 Asperger's disorder, 299.80 pervasive developmental disorder
21 not otherwise specified, and 299.80 Rhetts's disorder.

22 b. The individual has an individualized educational
23 program or individualized family service plan or the
24 individual receives special education and related services or
25 special treatments, therapies, or services for autism spectrum
26 disorder deemed necessary by a physician.

27 c. The individual would be able to be safely maintained in
28 the community through waiver services and the services are
29 deemed necessary by a physician.

30 d. The individual is not enrolled in any other home and
31 community-based waiver service program under the medical
32 assistance program.

33 3. Services provided under the waiver shall include all of
34 the following:

35 a. Respite care.

- 1 b. Environmental accessibility adaptations.
- 2 c. Beginning family training for autism, including out-of-
- 3 state training.
- 4 d. Ongoing family training.
- 5 e. Transition to employment and supported employment.
- 6 f. Day habilitation including at regular, intensive, and
- 7 therapeutic levels.
- 8 g. Residential habilitation.
- 9 h. Alternative treatments, therapies, and testing.
- 10 i. Targeted case management through the existing service
- 11 coordination for individuals with disabilities.

12 4. The waiver shall be administered in accordance with the
13 following:

14 a. The department of human services shall adopt rules
15 relating to the financial eligibility requirements for
16 participation in the program based on the individual's income
17 and resources.

18 b. The department of education, local intervention
19 programs, and school districts shall administer the waiver.

20 c. All providers of services under the waiver shall be
21 approved medical assistance providers.

22 EXPLANATION

23 This bill directs the department of human services to seek
 24 a home and community-based services waiver under section
 25 1915(c) of the federal Social Security Act from the centers
 26 for Medicare and Medicaid of the United States department of
 27 health and human services to allow eligible individuals with
 28 autism spectrum disorder to receive waiver services to support
 29 the individuals in their homes and communities. The
 30 department is to report on the progress of the request for the
 31 waiver on or before December 1, 2002. The bill describes the
 32 conditions that an individual must meet in order to be
 33 eligible for waiver services, describes the services to be
 34 provided under the waiver, and describes components of
 35 administration of the waiver.