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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**53rd Legislature, 1st Session, 2017**

<b>Bill Number</b>	<u>SM79</u>	<b>Sponsor</b>	<u>Lopez</u>
<b>Tracking Number</b>	<u>.207073.1</u>	<b>Committee Referrals</b>	<u>SRC/SPAC</u>
<b>Short Title</b>	<u>Autism Spectrum Disorder Needs Task Force</u>		
<b>Analyst</b>	<u>Bedeaux</u>	<b>Original Date</b>	<u>2/20/17</u>
		<b>Last Updated</b>	<u></u>

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**BILL SUMMARY**

Synopsis of Bill

Senate Memorial 79 (SM79) requests the autism programs at the University of New Mexico Center for Development and Disability (UNM CDD) convene a task force to study ways to develop and implement programs for older youth and adults with autism spectrum disorder (ASD). The task force would be requested to develop funding priorities for youth and adults with autism using evidence-based interventions, with four major policy goals:

1. a new Medicaid behavioral health benefit specifically for adults with ASD;
2. a plan for allocating state resources for youth with ASD;
3. development of expedited developmental disabilities waiver criteria for youth and adults discharging from residential treatment; and
4. programs for youth and adults who do not meet the criteria for the waiver.

The task force would be requested to allow participation from families of adults with autism spectrum disorder, self-advocates, and other entities.

The task force would be requested to present its recommendations to the Legislative Health and Human Services Committee by the end of November 2017.

**FISCAL IMPACT**

SM79 does not contain an appropriation.

**SUBSTANTIVE ISSUES**

ASD is a developmental disability characterized by social and behavioral dysfunction. According to the federal Centers for Disease Control, about one in 68 children will be identified with ASD. Children and adults with ASD have nothing that physically sets them apart from others, but can have difficulty communicating and interacting with other people, and often learn in different ways than others. People with ASD may have trouble relating to others, show no interest in

conversation, often have trouble expressing their needs using words or gestures, act repetitively, or have unusual reactions to sensory input. ASD is about 4.5 times more common among boys than among girls. The memorial identifies three state policy issues regarding ASD that warrant further study.

**Medicaid Health Benefit Specific to ASD.** According to the federal Medicaid program, there are several services that may apply to individuals with ASD, but none specific to the program. State plans that generally cover ASD are services of “other licensed practitioners,” preventative services, and therapy services. However, ensuring coverage is up to the state – states must submit a state plan amendment to the Center for Medicaid Services describing the provider’s qualification and including a reimbursement methodology.

**Providing State Resources for Youth with ASD.** An analysis from the UNM Health Sciences Center explains that the cost of residential placement of children with ASD is \$220 thousand per year. Many youth are sent out of state for residential treatment, increasing the cost of placement. Increasing the availability of state resources for individuals with ASD would reduce the per-person cost of care.

**Expedited Developmental Disabilities Waiver for Youth with ASD.** The New Mexico Developmental Disabilities waiver provides services to individuals with ASD. However, a study of the state’s program found that there is about a seven-year waitlist for the waiver, and most individuals are about 18 years old by the time they can access the waiver. The task force would be requested to develop a plan for expediting the waiver process for individuals with ASD. ASD can be present in individuals with normal or even above average intelligence. An analysis on SM79 from UNM Health Sciences Center notes that many adults with ASD fail to qualify for a developmental disability waiver based upon their average intellectual capabilities. In addition to an expedited waiver process, the task force would look in to other programs that can improve services for those individuals that fall short of the criteria for a waiver.

## **ADMINISTRATIVE IMPLICATIONS**

Assembling a task force has significant implications for the body that is organizing the task force. In this case, the director of autism programs at UNM CDD would be requested to include on the task force representatives from

- the Department of Health;
- the Human Services Department;
- the Children, Youth and Families Department;
- the Developmental Disabilities Planning Council;
- Centennial Care Managed Care Organizations;
- the New Mexico Autism Society;
- the New Mexico Association for Behavior Analysis; and
- Disability Rights New Mexico.

## **RELATED BILLS**

Duplicates HM51, Autism Spectrum Disorder Task Force

**SOURCES OF INFORMATION**

- LESC Files
- CDC
- UNM Health Sciences Center
- L&M Policy Research Report: *State of the States of Services and Supports for People with ASD.*

**TCB/th**