



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3899

Introduced 2/17/2023, by Rep. Nabeela Syed

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-30.11

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that the treatment of autism spectrum disorder through applied behavior analysis shall be covered under the medical assistance program for children with a diagnosis of autism spectrum disorder when ordered by a certified, registered, or licensed health care professional with expertise in treating the effects of autism spectrum disorders when the care is determined to be medically necessary and ordered by a physician licensed to practice medicine in all its branches. Provides that certain treatment shall be covered, including, but not limited to, psychiatric, psychological, rehabilitative, and therapeutic care. Effective July 1, 2023.

LRB103 29521 KTG 55916 b

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 changing Section 5-30.11 as follows:

6 (305 ILCS 5/5-30.11)

7 Sec. 5-30.11. Treatment of autism spectrum disorder.  
8 Treatment of autism spectrum disorder through applied behavior  
9 analysis shall be covered under the medical assistance program  
10 under this Article for children with a diagnosis of autism  
11 spectrum disorder in the following instances: (1) when ordered  
12 by:—(1) a physician licensed to practice medicine in all its  
13 branches and rendered by a licensed or certified health care  
14 professional with expertise in applied behavior analysis; ~~or~~  
15 (2) when evaluated and treated by a behavior analyst licensed  
16 by the Department of Financial and Professional Regulation to  
17 practice applied behavior analysis in this State; or (3) when  
18 ordered by a certified, registered, or licensed health care  
19 professional with expertise in treating the effects of autism  
20 spectrum disorders when the care is determined to be medically  
21 necessary and ordered by a physician licensed to practice  
22 medicine in all its branches. Treatment covered under this  
23 Section shall include, but not be limited to, the following:

1           (1) Psychiatric care, meaning direct, consultative, or  
2           diagnostic services provided by a licensed psychiatrist.

3           (2) Psychological care, meaning direct or consultative  
4           services provided by a licensed psychologist.

5           (3) Habilitative or rehabilitative care, meaning  
6           professional, counseling, and guidance services and  
7           treatment programs, including applied behavior analysis,  
8           that are intended to develop, maintain, and restore the  
9           functioning of an individual. As used in this subsection,  
10           "applied behavior analysis" means the design,  
11           implementation, and evaluation of environmental  
12           modifications using behavioral stimuli and consequences to  
13           produce socially significant improvement in human  
14           behavior, including the use of direct observation,  
15           measurement, and functional analysis of the relations  
16           between environment and behavior. Applied behavior  
17           analysis shall be covered if provided by a Board Certified  
18           Behavior Analyst who possesses at least a master's degree  
19           or higher level of education in qualifying fields and  
20           possesses certification from the Behavior Analyst  
21           Certification Board. Applied behavior analysis can also be  
22           provided and shall be covered when provided by a  
23           Registered Behavior Technician who is certified and in  
24           direct supervision of a Board Certified Behavior Analyst.

25           (4) Therapeutic care, including behavioral, speech,  
26           occupational, and physical therapies that provide

1       treatment in the following areas: (i) self care and  
2       feeding; (ii) pragmatic, receptive, and expressive  
3       language; (iii) cognitive functioning; (iv) applied  
4       behavior analysis, intervention, and modification; (v)  
5       motor planning; and (vi) sensory processing.

6       ➤ Such coverage may be limited to age ranges based on  
7       evidence-based best practices. Appropriate State plan  
8       amendments as well as rules regarding provision of services  
9       and providers will be submitted by September 1, 2019.

10       (Source: P.A. 101-10, eff. 6-5-19; 102-558, eff. 8-20-21;  
11       102-953, eff. 5-27-22.)

12       Section 99. Effective date. This Act takes effect July 1,  
13       2023.