



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3315

Introduced 2/7/2024, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-30.11

Amends the Medical Assistance Article of the Illinois Public Aid Code. In provisions concerning the treatment of autism spectrum disorder through applied behavior analysis, provides that coverage of comprehensive applied behavior analysis and focused applied behavior analysis shall be based on medical necessity (rather than such coverage may be limited to age ranges based on evidence-based best practices). Provides that registered behavior technicians shall not be required to enroll in the medical assistance program as providers of applied behavior analysis services but shall be considered enrolled through their supervising staff qualified to perform applied behavior analysis. Effective immediately.

LRB103 38830 KTG 68967 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 when (1) ordered by a physician licensed to
12 practice medicine in all its branches or a psychologist
13 licensed by the Department of Financial and Professional
14 Regulation and (2) evaluated by a behavior analyst as
15 recognized by the Department or licensed by the Department of
16 Financial and Professional Regulation to practice applied
17 behavior analysis in this State. Coverage of comprehensive
18 applied behavior analysis and focused applied behavior
19 analysis shall be based on medical necessity. ~~Such coverage~~
20 ~~may be limited to age ranges based on evidence-based best~~
21 ~~practices.~~ Appropriate State plan amendments as well as rules
22 regarding provision of services and providers will be
23 submitted by September 1, 2019. Pursuant to the flexibilities

1 allowed by the federal Centers for Medicare and Medicaid
2 Services to Illinois under the Medical Assistance Program, the
3 Department shall enroll and reimburse qualified staff to
4 perform applied behavior analysis services in advance of
5 Illinois licensure activities performed by the Department of
6 Financial and Professional Regulation. Registered behavior
7 technicians shall not be required to enroll but shall be
8 considered enrolled through their supervising staff qualified
9 to perform applied behavior analysis. These services shall be
10 covered if they are provided in a home or community setting or
11 in an office-based setting. The Department may conduct annual
12 on-site reviews of the services authorized under this Section.
13 Provider enrollment shall occur no later than September 1,
14 2023.

15 (Source: P.A. 102-558, eff. 8-20-21; 102-953, eff. 5-27-22;
16 103-102, eff. 7-1-23.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.