

MAR 10 2023

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES' MED-QUEST DIVISION
TO TAKE STEPS NECESSARY TO ENSURE THAT ADEQUATE PROVIDER
RATES ARE ESTABLISHED FOR APPLIED BEHAVIOR ANALYSIS
SERVICES.

1 WHEREAS, applied behavior analysis is a medically necessary
2 service provided for Med-QUEST beneficiaries under the age of
3 twenty-one with an autism spectrum disorder diagnosis; and
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5 WHEREAS, the Med-QUEST reimbursement rates for applied
6 behavior analysis services were set in 2015 and have not
7 increased; and
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9 WHEREAS, the State's current reimbursement rate for applied
10 behavior analysis services, and in particular for registered
11 behavior technicians, is below the current market rate; and
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13 WHEREAS, Medicaid agencies in other states have increased
14 their reimbursement rates over the years while Med-QUEST
15 reimbursement rates have remained the same; and
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17 WHEREAS, other public payors in the State, including the
18 Department of Education and Department of Health's Developmental
19 Disabilities Division pay higher rates for applied behavior
20 analysis services, with the Department of Education paying a
21 difference of \$25 per hour on the neighbor islands and the
22 Developmental Disabilities Division paying a difference of
23 \$19.45 per hour; and
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25 WHEREAS, because the American Medical Association's Current
26 Procedural Terminology codes for applied behavior analysis
27 services are carrier priced, the Centers for Medicare and
28 Medicaid Services Medicare Physician Fee Schedule does not
29 currently set rates for these services; and



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2 WHEREAS, wages in the State have increased by thirty
3 percent since 2015, forcing applied behavior analysis service
4 providers to shoulder increased staff costs without a
5 proportionate rate increase; and
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7 WHEREAS, applied behavior analysis service providers across
8 the State have reported an inability to meet the demand for
9 services by Med-QUEST beneficiaries, largely due to difficulty
10 in hiring and retaining providers given the State's high cost of
11 living and the demand for increased wages; and
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13 WHEREAS, families who have been able to access services
14 report not being able to access the full amount of services
15 recommended for their child due to a lack of providers; and
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17 WHEREAS, families also report significant delays in timely
18 access to services and being placed on years long waitlists for
19 services; and
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21 WHEREAS, research demonstrates that early intensive
22 intervention and the provision of services in line with
23 professional standards of care produces the best outcomes for
24 individuals and can decrease the cost of care over the
25 individual's lifetime; and
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27 WHEREAS, under federal law, all covered Medicaid services
28 must be provided with "reasonable promptness"; and
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30 WHEREAS, as part of the Early and Periodic Screening,
31 Diagnostic and Treatment benefit established pursuant to Section
32 1905(r) of the Social Security Act, Medicaid agencies must
33 employ processes to ensure timely initiation of treatment; now,
34 therefore,
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36 BE IT RESOLVED by the Senate of the Thirty-second
37 Legislature of the State of Hawaii, Regular Session of 2023, the
38 House of Representatives concurring, that the Department of
39 Human Services' Med-QUEST Division is requested to take steps
40 necessary to ensure that adequate provider rates are established
41 for applied behavioral analysis services; and
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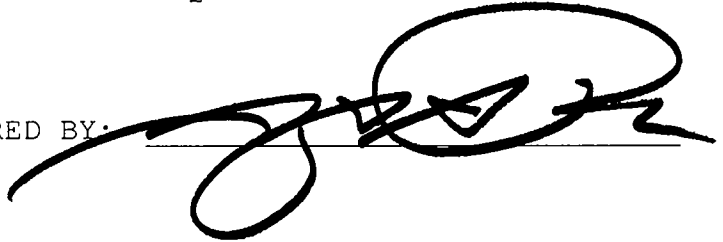


1 BE IT FURTHER RESOLVED that the Med-QUEST Division is
2 further requested to assess current reimbursement rates for
3 applied behavior analysis services; and
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5 BE IT FURTHER RESOLVED that the Med-QUEST Division is
6 requested to submit a report of its findings and recommendations
7 on appropriate reimbursement rate increases, including any
8 proposed legislation, to the Legislature no later than twenty
9 days prior to the convening of the Regular Session of 2024; and
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11 BE IT FURTHER RESOLVED that certified copies of this
12 Concurrent Resolution be transmitted to the Director of Human
13 Services and Administrator of the Med-QUEST Division.
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OFFERED BY: _____

A large, stylized handwritten signature in black ink is written over a horizontal line. The signature is highly cursive and appears to be the name of the person offering the resolution.