

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** SB 213

**51st Legislature, 1st Session, 2013**

**Tracking Number:** .191131.1

**Short Title:** Autism Spectrum Disorder Programs

**Sponsor(s):** Senator Mary Kay Papen and Others

**Analyst:** James Ball

**Date:** February 5, 2013

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**Bill Summary:**

SB 213 makes an appropriation for:

- expanded diagnostic services for adults and children suspected of having autism spectrum disorders (ASD);
- services for adults with ASD who do not meet the criteria for services through the developmental disabilities waiver;
- adaptive skill-building and parent home-training services that directly support children with ASD; and
- professional development programs and capacity-building initiatives to move toward an evidence-based system of services for those with ASD.

**Fiscal Impact:**

\$2.0 million is appropriated from the General Fund to the Department of Health (DOH) for expenditure in FY 14. Unexpended or unencumbered funds revert to the General Fund. The appropriation is assigned as follows:

- \$300,000 for expanded diagnostic services;
- \$300,000 for ASD adults not eligible for services through waiver;
- \$1.0 million for adaptive skill-building and parent home-training services; and
- \$400,000 for professional development programs and capacity-building initiatives.

**Fiscal Issues:**

DOH states that since the increase in services in SB 213 was not part of their executive budget request, the department would need authority to budget a minimum of 5.0 percent of the appropriation to cover administrative costs associated with the new services. Such costs would include staff, supplies, travel, and miscellaneous administrative expenses.

**Substantive Issues:**

According to DOH, ASDs are a group of developmental disabilities that can cause significant social, communication, and behavioral challenges. The Center for Disease Control estimates that an average of one in 88 children in the U.S. has a diagnosis of ASD, and it is one of the fastest growing developmental disability diagnoses in the world. Providing targeted and intense

supports from birth or time of diagnosis through the school years can lessen the impact of ASD as the children mature. Early interventions can also decrease the need for expensive services as adults.

**Background:**

DOH reports that currently there is no funding through Developmental Disabilities Services Division (DDSD) for persons who have ASD but do not meet the Developmental Disabilities Waiver (DDW) eligibility criteria. Although providing services for adults with ASD, the DDSD still has a significant waiting list as does the Division of Vocational Rehabilitation for employment services.

Medicaid now provides Adaptive Skill Building (ASB) Services, an intensive evidenced-based intervention, to children 0-5 years old with an autism diagnosis. ASB is generally a two-year course of treatment. The stat-funded ASB program serves children aged 5-18 years old and is still very small, serving only 65 children in just one-third of the counties in New Mexico and with only four contracted providers. The program has a waiting list in the pilot areas of approximately 40 children. There have been 132 applications so far this year.

Some of those individuals applying for ASB do not reside in the pilot counties and some are not eligible due to lack of insurance coverage. While insurance is available for some children to access ASD services, some families find the copayment prohibitive and do not access the services available. Public employee insurance does not cover ASD services at this time. Currently, the DOH budgets approximately \$1.2 million for ASB services to 65 children, ages 5-18, annually.

**Committee Referrals:**

SPAC/SFC

**Related Bills:**

HB 209 *Autism Spectrum Disorder Services* (Identical)