



April 10, 2019

Parent/Caregiver Training and Participation as a Condition of Payor Authorization

The Louisiana Coalition for Access to Autism Services (LCAAS) is a statewide, non-profit coalition of applied behavior analysis (ABA) therapy providers with a mission of increasing access to autism therapy services throughout the state. Among other things, the coalition advocates for sustainable reimbursement rates for autism therapy services and policies that promote greater access to services for all families and children.

Position Statement

It is the position of the Louisiana Coalition for Access to Autism Services that parent/caregiver training or participation should never be used by insurers as a basis to reduce, deny or delay treatment for individuals with autism. While LCAAS' provider members fully support parent/caregiver involvement and training where clinically appropriate, predicating service authorizations on a required level of involvement likely imposes a more restrictive requirement on medically necessary autism treatment than on substantially all other outpatient treatments. LCAAS believes parent/caregiver training requirements pose a number of problems that have the effect of reducing access to high-quality care for individuals with autism and their families.

Parent/caregiver requirements disproportionately impact lower-income families.

Parent/caregiver requirements disproportionately impact lower-income families, many of whom are raising a child with autism in a single-parent homes or have two working parents and other children to care for. Parent training sessions that take place during the work day, or even after 5 pm when many parents are caring for their other children, can place an undue burden on many parents who must work and/or are unable to pay for after-hours child care. All families, regardless of the family's economic circumstances, should have access to appropriate autism treatment services.

Parent/caregiver requirements may deprive individuals with autism of medically necessary services.

Louisiana's autism insurance mandate, La. R.S. § 22:1050 (2008), requires that insurers provide coverage for all "medically necessary" autism diagnosis and treatment services, including, specifically, applied behavior analysis therapy. The specific circumstances that influence the ability of a parent or caregiver to participate in a child's treatment plan are not a matter that

affects the medical necessity of a patient's treatment. If a patient needs treatment and is benefitting from treatment, that should be the focus. Indeed, the Behavior Analyst Certification Board (BACB) recently issued updated guidance regarding the appropriateness of parent/caregiver training requirements. The Board cautioned that "[a]lthough efforts should be made to involve parents and other caregivers in treatment to the greatest extent feasible, clients should not be deprived of the opportunity to benefit from *medically necessary* ABA interventions if caregiver involvement is less than optimal." BACB, "Applied Behavior Analysis Treatment of Autism Spectrum Disorder: Practice Guidelines for Healthcare Funders and Managers" (2nd ed.) (Feb. 2019).

It is also axiomatic that a patient's autism diagnosis is predicated upon the *patient's* behavior and clinical presentation, not that of a parent/caregiver, and the patient should be assessed and treated accordingly. The goal of treatment is to improve the patient's functioning. Parent/caregiver behavior, particularly for younger children, may be identified by the clinician as one of various environmental conditions to be considered during the assessment and treatment of the patient's behavior, but is not itself a measure of patient progress. The goal of clinically indicated parent/caregiver training should be to *supplement*, not supplant, medically necessary services.

Parent/caregiver training requirements can interfere with the professional and clinical judgment of BCBA's.

Parent/caregiver training requirements can interfere with the professional judgment of Applied Behavior Analysts who are trained, licensed and certified to provide therapy services to individuals with autism. Parent/caregiver training should be a clinical recommendation, made to the family by the supervising clinician, taking into consideration his or her clinical judgment, relevant research, governing laws/regulations, and applicable professional standards and requirements, including those of the Behavior Analyst Certification Board and the Louisiana Behavior Analyst Board (LBAB).

While the BACB's practice guidelines encourage parent involvement in a provider's treatment of children with autism, they state clearly that "authorizations for services to the client should not be predicated on requirements for parents or other caregivers to participate in training or to implement treatment protocols with the client." BACB, "ABA Treatment of ASD: Practice Guidelines for Healthcare Funders and Managers." The guidelines further state that "while family training is supportive of the overall treatment plan, it is not a replacement for professionally directed and implemented treatment." Consequently, while parent involvement can be an important component of a provider's overall treatment plan, subject to a practitioner's clinical judgment, nothing in the BACB's practice guidelines justify imposing parent training requirements as a condition of authorization of an individual's treatment.

Requiring parent/caregiver training violates state and federal laws.

Behavior analysts are expected to conform to the laws under which they operate. Imposing parental/caregiver participation requirements as a condition of access to treatment constitutes a discriminatory treatment limitation imposed on a service with respect to a mental health condition contrary to the intent of the Mental Health Parity and Addiction Equity Act of 2008

(MHPAEA), as amended by the Patient Protection and Affordable Care Act. MHPAEA generally requires that the “treatment limitations on Mental Health or Substance Use Disorder (MH/SUD) ... are no more restrictive than those on medical or surgical (med/surg) benefits” U.S. Department of Labor (2016). MHPAEA further prohibits treatment limitations imposed solely on a service for a mental health condition. Insurers do not impose similar parent training requirements on coverage of services for outpatient medical and surgical procedures.

Conclusion

In summary, LCAAS recognizes the positive impact that the training of parents and caregivers can have on the life of an individual affected by autism. However, LCAAS does not support insurers or other funders imposing parent/caregiver training requirements as a condition of authorization of services for an individual. The appropriateness and value of parent/caregiver trainings should be a determination made solely by the clinician, and the patient’s behavior and progress—not that of the parent or caregiver—should remain the focus of treatment. Most importantly, policies that place additional requirements on parents, many of whom already sacrifice to ensure their child receives appropriate therapy services, should not be used to create barriers to access of critical autism therapy services.