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Applied Behavior Analysis Services

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4.229 Applied Behavior Analysis Services (8/1/2021, GCR 21-016)

4.229.1 Definitions

For the purposes of this rule, the term:

- (a) **“Applied Behavior Analysis (ABA)”** means the design, implementation, and evaluation of the instructional and environmental modifications by a behavior analyst to provide socially significant improvements in human behavior.
- (b) **“Board Certified Behavior Analyst (BCBA)”** means an independent practitioner who provides ABA services, holds a master’s degree, and is certified through the National Behavior Analyst Certification Board (BACB). BCBAs also supervise the work of Board Certified Assistant Behavior Analysts and Behavior Technicians.
- (c) **“Board Certified Assistant Behavior Analyst (BCaBA)”** means an ABA provider who holds a minimum of a bachelor’s degree, is certified through the BACB, and is directly supervised by a BCBA. BCaBAs may supervise the work of Behavior Technicians.
- (d) **“Behavior Technician (BT)”**, including **“Registered Behavior Technician (RBT)”** means an ABA provider who holds a bachelor’s degree, or is pursuing a bachelor’s degree, and practices under close, ongoing supervision of a BCBA or BCaBA supervisor. Relevant experience may be exchanged for a degree.

4.229.2 Covered Services

Medically necessary ABA services include:

- (a) Functional Assessment and Analysis
- (b) Treatment plan development
- (c) Direct treatment
- (d) Program supervision
- (e) Parent/caregiver training
- (f) Team conferences

4.229.3 Eligibility for Care

For a beneficiary to receive ABA services, they must:

- (a) Be actively enrolled in Medicaid at the time of the service,
- (b) Be under the age of 21,
- (c) Have a Diagnostic and Statistical Manual of Mental Disorders (latest edition) diagnosis of Autism Spectrum Disorder, early childhood developmental disorder, or any successor diagnosis,
- (d) Have a prescription for ABA from a:
  - (1) Board certified or board eligible psychiatrist,
  - (2) Doctorate-level licensed psychologist,

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- (3) Board certified or board eligible pediatrician,
  - (4) Board certified or board eligible neurologist, or
  - (5) Developmental-behavioral or neurodevelopmental disabilities pediatrician, and
- (e) Be medically stable and not require 24-hour medical/nursing monitoring or procedures provided in a hospital level of care on an ongoing basis.

#### 4.229.4 Qualified Providers

BCBAs and BCaBAs providing ABA services must be licensed in Vermont, working within the scope of their practice, and enrolled in Vermont Medicaid.

#### 4.229.5 Prior Authorization Requirements

The Vermont Medicaid Fee Schedule contains a detailed list of covered services and indicates which services require prior authorization. The Fee Schedule can be found on the Department of Vermont Health Access website.

#### 4.229.6 Non-Covered Services

Vermont Medicaid will not authorize ABA services for any of the following:

- (a) School-based ABA services authorized under the Individuals with Disabilities Education Act (IDEA) and reimbursed by the Agency of Education,
- (b) Respite care,
- (c) Orientation and mobility,
- (d) Psychiatric hospitalization, or
- (e) Medicaid beneficiaries in long term out-of-home placement/care outside a community setting.