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Office

H.B. 440 135th General Assembly	Fiscal Note & Local Impact Statement
	Click here for H.B. 440's Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Fowler Arthur and Lear

Local Impact Statement Procedure Required: No

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Highlights

- The bill may increase or decrease state GRF expenditures for Autism and Jon Peterson Special Needs scholarships by allowing services provided under those programs to be offered remotely by qualified credentialed providers.

Detailed Analysis

Autism and Jon Peterson Special Needs scholarships – remote education services

The Autism Scholarship Program provides state scholarships to a student with autism and an individualized education program (IEP) or education plan established by their resident school district whose parents choose to enroll the student in an approved special education program other than the one offered by the student's school district. The Jon Peterson Special Needs (JPSN) Scholarship Program is similar to the Autism Scholarship Program except that it is available to all students with disabilities that have an IEP established by their resident school district.

The bill allows services provided under the Autism and JPSN scholarship programs to be offered remotely by qualified credentialed providers. All services provided remotely must be specified under the student's IEP or education plan. During the COVID-19 pandemic, emergency provisions allowed for IEP services covered by Autism and JPSN scholarships to be provided remotely. However, those provisions have expired. While continuing law permits certain health care professionals to provide telehealth services, current law neither expressly permits nor prohibits individuals licensed by the State Board of Education, such as intervention specialists and educational aides, to provide services remotely or via telehealth communication as part of the Autism or JPSN scholarship programs.

On one hand, the bill may increase state expenditures for Autism and JPSN scholarships if it permits certain services to be paid for through those scholarships that otherwise would not have been. In particular, the bill may assist students in rural areas whose access to in-person service providers may be limited. As a point of reference, a relatively small share of Autism and JPSN scholarship recipients, roughly 740 (6%) students, are estimated to reside in rural school districts in FY 2024.[1] On the other hand, remote services may take the place of some services currently delivered in person at a potentially lower cost. If so, the bill will create a savings effect in these circumstances.

Autism and JPSN scholarship program costs are paid directly by the state from the GRF. The maximum amount of an Autism scholarship is $32,445 while the maximum amount for a JPSN scholarship varies by the student's disability category. In FY 2025, the maximum JPSN scholarship amounts range from $9,585 to $32,445. In both programs, the scholarship amount cannot exceed the total fees charged by the alternative provider.

JPSN scholarships – appropriately credentialed professionals

Under continuing law, a registered private provider participating in the JPSN Scholarship Program must employ teaching and nonteaching professionals who hold credentials determined by the State Board to be appropriate for the special education program it operates. The bill requires the State Board to include certain credentialed professionals on the list of approved credentialed professionals.[2] This provision may increase the availability of providers for services under a JPSN scholarship to the extent the identified professionals are not already permitted to provide services.

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[1] LBO estimated this number due to masking of district-level scholarship recipient data for school districts in which fewer than ten Autism and JPSN scholarship students reside.

[2] Continuing law includes a similar list of providers already permitted to provide intervention services under the Autism Scholarship Program.