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Testimony on HB 96 (SFY 2026-27 Operating Budget)

June 6, 2025

Chair Cirino, Vice Chair Chavez, Ranking Member Hicks-Hudson, and members of the Senate Finance Committee, thank you for the opportunity to offer testimony on House Bill 96, the state operating budget for state fiscal years 2026-2027.

I am Anthony Bronaugh Sr., owner of AB Education & Behavior Consulting LLC. I am a statewide autism service provider, consultant and clinician and advocate representing Ohio families and colleagues that provide insurance-funded therapies for treating autism spectrum disorder.

My provider network (including APN-Autism Provider Network) in Northwest Ohio meet every month to discuss the challenges, success stories and resources in Northwest Ohio as it relates to providing evidence-based therapy services to Ohioans with autism, both on commercial and Medicaid health plans. Many of our providers are nationally accredited and strive to offer high-quality services in every community.

Autistic children, adolescents, and young adults are struggling to access behavioral health care in Ohio. The strained and inadequate commercial and public insurance provider networks are unable to meet the demands for service.

OHABA and AB Education & Behavior Consulting respectfully request five state budget amendments be added to fix access challenges without any fiscal impact to the state. This will improve access to insurance-funded behavioral services such as applied behavior analysis (ABA) therapy, which is the most prescribed therapy for treating autism spectrum disorder. Since 2013, we have had both standards of care in delivering ABA therapy for the treatment of autism and CPT codes from the American Medical Association.

In commercial and employer-based health insurance, we see that fully funded state-regulated health plans still have caps on age, treatment intensity, or hours of therapy, as well as visit limits on therapies such as speech therapy. All of these quantitative and non-quantitative treatment limitations violate the federal Mental Health Parity Law.

In Medicaid, we calculated that only 8% of Medicaid-eligible children with autism are getting access to the most prescribed treatment for autism, ABA therapy.

Autism Speaks and the Autism Societies from around the state agree that families need help now and support the following amendments that will not impact the state budget fiscally.

We need your support for our state budget amendments to stabilize the ABA therapy coverage.

(1) Our amendment requests do not impact the state budget financially.

- (2) ABA did not receive a rate increase with OHMA' Community Behavioral Health Centers (CBHCs) last year and is not a part of the current request for a 5% increase for CBHCs.
- (3) Medicaid's current budget includes the new ABA fee-for-service reimbursement.

### **Our Amendment Requests:**

#### **Commercial and Employer-Based Health Coverage for ABA Therapy for Treating Autism**

- 1) Removal of Age, Hour, & Visit Caps within Commercial Fully Funded Plans (DOI regulated) to align with federal mental health parity law and add our industry-agreed-upon standards of care.
- 2) Commercial Insurers must reimburse ABA services at least at the new Medicaid reimbursement schedule built by the Milliman Actuary Firm per Appendix A in ODM Proposed Rule: 5160-34-03.

#### **Medicaid Health Coverage for ABA Therapy for Treating Autism**

- 1) Need Medicaid's New Fee-for-Service Reimbursement Schedule for ABA to begin July 1, 2025.
  - a. We are aware that Medicaid is not yet ready with the coverage rules for ABA; however, Medicaid has already released its new ABA reimbursement rates, which were developed by an actuarial firm and were set to start in April 2025.
  - b. ABA providers did not receive the rate increase that the CBHCs received recently.
  - c. The last ODM-released reimbursement was from 2018.
- 2) Moratorium on Reduction of ABA Reimbursement Rates by managed care plans.
- 3) We need the new Medicaid rates, plus we are requesting that it be two years before MCOs can reduce these rates through contract negotiations with providers. We have seen this in other mental health services in the past.
- 4) Lastly, Allow Competent Technicians (our direct care staff) to Deliver Services while completing national certification.
- 5) In yesterday's released draft ABA coverage rules, ODM approved 90 days; however, we believe 120 days are needed. The certification exam for technicians is very hard, with only a 75% passing rate. Many technicians need to retake the test.

Members of the Ohio Senate Finance Committee, thank you for this opportunity. Again, we request your consideration of our five-state budget amendments to stabilize ABA therapy for all families in Ohio with a loved one with autism.

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