

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 453**

**Representative Lorenz**

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To amend sections 1751.84, 3923.84, 4783.01, and 1  
4783.02 and to enact sections 3901.92 and 2  
4783.40 of the Revised Code regarding insurance 3  
and Medicaid coverage of applied behavior 4  
analysis therapy for autism treatment and to 5  
permit exam-eligible technicians to engage in 6  
the practice of applied behavior analysis. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1751.84, 3923.84, 4783.01, and 8  
4783.02 be amended and sections 3901.92 and 4783.40 of the 9  
Revised Code be enacted to read as follows: 10

**Sec. 1751.84.** (A) Notwithstanding section 3901.71 of the 11  
Revised Code, each individual and group health insuring 12  
corporation policy, contract, or agreement providing basic 13  
health care services that is delivered, issued for delivery, or 14  
renewed in this state shall provide coverage for the screening, 15  
diagnosis, and treatment of autism spectrum disorder. A health 16  
insuring corporation shall not terminate an individual's 17  
coverage, or refuse to deliver, execute, issue, amend, adjust, 18  
or renew coverage to an individual solely because the individual 19  
is diagnosed with or has received treatment for an autism 20  
spectrum disorder. Nothing in this section shall be applied to 21

nongrandfathered plans in the individual and small group markets 22  
or to medicare supplement, accident-only, specified disease, 23  
hospital indemnity, disability income, long-term care, or other 24  
limited benefit hospital insurance policies. Except as otherwise 25  
provided in division (B) of this section, coverage under this 26  
section shall not be subject to dollar limits, deductibles, or 27  
coinsurance provisions that are less favorable to an enrollee 28  
than the dollar limits, deductibles, or coinsurance provisions 29  
that apply to substantially all medical and surgical benefits 30  
under the policy, contract, or agreement. 31

(B) Benefits provided under this section shall cover, at 32  
minimum, all of the following: 33

(1) ~~For speech~~ Speech and language therapy or occupational 34  
therapy ~~for an enrollee under the age of fourteen that is~~ 35  
performed by a licensed therapist, ~~twenty visits per year for~~ 36  
~~each service;~~ 37

(2) ~~For clinical~~ Clinical therapeutic intervention ~~for an~~ 38  
~~enrollee under the age of fourteen that is~~ provided by or under 39  
the supervision of a professional who is licensed, certified, or 40  
registered by an appropriate agency of this state to perform 41  
such services in accordance with a health treatment plan, ~~twenty~~ 42  
~~hours per week;~~ 43

(3) ~~For mental~~ Mental or behavioral health outpatient 44  
services ~~for an enrollee under the age of fourteen that are~~ 45  
performed by any of the following providing consultation, 46  
assessment, development, or oversight of treatment plans, ~~thirty~~ 47  
~~visits per year:~~ 48

(a) A licensed psychologist; 49

(b) A licensed physician, including a psychiatrist; 50

(c) A clinical nurse specialist or certified nurse practitioner, including a psychiatric-mental health advanced practice registered nurse or a clinical nurse specialist or certified nurse practitioner specializing in pediatric or family health. 51-55

(4) Adaptive behavior services that are performed by a certified Ohio behavior analyst under Chapter 4783. of the Revised Code, or an exam-eligible technician pursuant to section 4783.40 of the Revised Code. 56-59

(C) (1) Except as provided in division (C) (2) of this section, this section shall not be construed as limiting benefits that are otherwise available to an individual under a policy, contract, or agreement. 60-63

(2) A policy, contract, or agreement shall stipulate that coverage provided under this section be contingent upon both of the following: 64-66

(a) The covered individual receiving prior authorization for the services in question; 67-68

(b) The services in question being prescribed or ordered by a psychologist trained in autism, a developmental pediatrician, or a clinical nurse specialist or certified nurse practitioner specializing in pediatric health. 69-72

(D) (1) Except for inpatient services, if an enrollee is receiving treatment for an autism spectrum disorder, a health insuring corporation may review the treatment plan annually, unless the health insuring corporation and the enrollee's treating physician, clinical nurse specialist, certified nurse practitioner, or psychologist agree that a more frequent review is necessary. 73-79

(2) Any such agreement as described in division (D) (1) of 80  
this section shall apply only to a particular enrollee being 81  
treated for an autism spectrum disorder and shall not apply to 82  
all individuals being treated for autism spectrum disorder by a 83  
physician, clinical nurse specialist, certified nurse 84  
practitioner, or psychologist. 85

(3) The health insuring corporation shall cover the cost 86  
of obtaining any review or treatment plan. 87

(E) A health insuring corporation shall use the industry 88  
standards of care set forth in the applied behavior analysis 89  
practice guidelines for the treatment of autism spectrum 90  
disorder published by the council of autism service providers to 91  
inform decision-making regarding the use of applied behavioral 92  
analysis as a medically necessary treatment service. 93

(F) This section shall not be construed as affecting any 94  
obligation to provide services to an enrollee under an 95  
individualized family service plan, an individualized education 96  
program, or an individualized service plan. 97

~~(F)~~ (G) As used in this section: 98

(1) "Applied behavior analysis" means the design, 99  
implementation, and evaluation of environmental modifications, 100  
using behavioral stimuli and consequences, to produce socially 101  
significant improvement in human behavior, including the use of 102  
direct observation, measurement, and functional analysis of the 103  
relationship between environment and behavior. 104

(2) "Autism spectrum disorder" means any of the pervasive 105  
developmental disorders or autism spectrum disorder as defined 106  
by the most recent edition of the diagnostic and statistical 107  
manual of mental disorders published by the American psychiatric 108

association available at the time an individual is first 109  
evaluated for suspected developmental delay. 110

(3) "Clinical therapeutic intervention" means therapies 111  
supported by empirical evidence, which include, but are not 112  
limited to, applied behavioral analysis, that satisfy both of 113  
the following: 114

(a) Are necessary to develop, maintain, or restore, to the 115  
maximum extent practicable, the function of an individual; 116

(b) Are provided by or under the supervision of any of the 117  
following: 118

(i) A certified Ohio behavior analyst as defined in 119  
section 4783.01 of the Revised Code; 120

(ii) An individual licensed under Chapter 4732. of the 121  
Revised Code to practice psychology; 122

(iii) An individual licensed under Chapter 4757. of the 123  
Revised Code to practice professional counseling, social work, 124  
or marriage and family therapy. 125

(4) "Diagnosis of autism spectrum disorder" means 126  
medically necessary assessments, evaluations, or tests to 127  
diagnose whether an individual has an autism spectrum disorder. 128

(5) "Pharmacy care" means prescribed medications and any 129  
health-related services considered medically necessary to 130  
determine the need or effectiveness of the medications. 131

(6) "Psychiatric care" means direct or consultative 132  
services provided by a psychiatrist or psychiatric-mental health 133  
advanced practice registered nurse who is licensed in the state 134  
in which the psychiatrist or nurse practices. 135

(7) "Psychiatric-mental health advanced practice  
registered nurse" means an advanced practice registered nurse  
who is either of the following:

(a) A clinical nurse specialist who is certified as a  
psychiatric-mental health CNS, or the equivalent of such title,  
by the American nurses credentialing center;

(b) A certified nurse practitioner who is certified as a  
psychiatric-mental health NP, or the equivalent of such title,  
by the American nurses credentialing center or American academy  
of nurse practitioners certification board.

(8) "Psychological care" means direct or consultative  
services provided by a psychologist licensed in the state in  
which the psychologist practices.

(9) "Therapeutic care" means services provided by a speech  
therapist, occupational therapist, or physical therapist  
licensed or certified in the state in which the person  
practices.

(10) "Treatment for autism spectrum disorder" means  
evidence-based care and related equipment prescribed or ordered  
for an individual diagnosed with an autism spectrum disorder, by  
a licensed physician who is a developmental pediatrician,  
licensed psychologist trained in autism, clinical nurse  
specialist or certified nurse practitioner specializing in  
pediatric health, or clinical nurse specialist or certified  
nurse practitioner trained in autism who determines the care and  
related equipment to be medically necessary, including any of  
the following:

(a) Clinical therapeutic intervention;

(b) Pharmacy care;

(c) Psychiatric care; 165

(d) Psychological care; 166

(e) Therapeutic care. 167

~~(G)~~ (H) If any provision of this section or the application 168  
thereof to any person or circumstances is for any reason held to 169  
be invalid, the remainder of the section and the application of 170  
such remainder to other persons or circumstances shall not be 171  
affected thereby. 172

**Sec. 3901.92.** (A) Third-party payers shall reimburse 173  
providers of applied behavior analysis services for performing 174  
adaptive behavior assessment and treatment procedures at not 175  
less than one hundred per cent of the medicaid fee schedule in 176  
effect at the time of service. 177

(B) Nothing in this section prohibits a third-party payer 178  
from reimbursing a provider of applied behavior analysis 179  
services more than one hundred per cent of the medicaid fee 180  
schedule in effect at the time of service. 181

**Sec. 3923.84.** (A) Notwithstanding section 3901.71 of the 182  
Revised Code, each individual and group sickness and accident 183  
insurance policy that is delivered, issued for delivery, or 184  
renewed in this state shall provide coverage for the screening, 185  
diagnosis, and treatment of autism spectrum disorder. A sickness 186  
and accident insurer shall not terminate an individual's 187  
coverage, or refuse to deliver, execute, issue, amend, adjust, 188  
or renew coverage to an individual solely because the individual 189  
is diagnosed with or has received treatment for an autism 190  
spectrum disorder. Nothing in this section shall be applied to 191  
nongrandfathered plans in the individual and small group markets 192  
or to medicare supplement, accident-only, specified disease, 193

hospital indemnity, disability income, long-term care, or other 194  
limited benefit hospital insurance policies. Except as otherwise 195  
provided in division (B) of this section, coverage under this 196  
section shall not be subject to dollar limits, deductibles, or 197  
coinsurance provisions that are less favorable to an insured 198  
than the dollar limits, deductibles, or coinsurance provisions 199  
that apply to substantially all medical and surgical benefits 200  
under the policy. 201

(B) Benefits provided under this section shall cover, at 202  
minimum, all of the following: 203

(1) ~~For speech~~ Speech and language therapy or occupational 204  
therapy ~~for an insured under the age of fourteen that is~~ 205  
performed by a licensed therapist, ~~twenty visits per year for~~ 206  
~~each service;~~ 207

(2) ~~For clinical~~ Clinical therapeutic intervention ~~for an~~ 208  
~~insured under the age of fourteen that is~~ provided by or under 209  
the supervision of a professional who is licensed, certified, or 210  
registered by an appropriate agency of this state to perform 211  
such services in accordance with a health treatment plan, ~~twenty~~ 212  
~~hours per week;~~ 213

(3) ~~For mental~~ Mental or behavioral health outpatient 214  
services ~~for an insured under the age of fourteen that are~~ 215  
performed by any of the following providing consultation, 216  
assessment, development, or oversight of treatment plans, ~~thirty~~ 217  
~~visits per year:~~ 218

(a) A licensed psychologist; 219

(b) A licensed physician, including a psychiatrist; 220

(c) A clinical nurse specialist or certified nurse 221  
practitioner, including a psychiatric-mental health advanced 222

practice registered nurse or a clinical nurse specialist or 223  
certified nurse practitioner specializing in pediatric or family 224  
health. 225

(4) Adaptive behavior services that are performed by a 226  
certified Ohio behavior analyst under Chapter 4783. of the 227  
Revised Code, or an exam-eligible technician pursuant to section 228  
4783.40 of the Revised Code. 229

(C) (1) Except as provided in division (C) (2) of this 230  
section, this section shall not be construed as limiting 231  
benefits that are otherwise available to an insured under a 232  
policy. 233

(2) A policy of sickness and accident insurance shall 234  
stipulate that coverage provided under this section be 235  
contingent upon both of the following: 236

(a) The covered individual receiving prior authorization 237  
for the services in question; 238

(b) The services in question being prescribed or ordered 239  
by a psychologist trained in autism, a developmental 240  
pediatrician, or a clinical nurse specialist or certified nurse 241  
practitioner specializing in pediatric health. 242

(D) (1) Except for inpatient services, if an insured is 243  
receiving treatment for an autism spectrum disorder, a sickness 244  
and accident insurer may review the treatment plan annually, 245  
unless the insurer and the insured's treating physician, 246  
clinical nurse specialist, certified nurse practitioner, or 247  
psychologist agree that a more frequent review is necessary. 248

(2) Any such agreement as described in division (D) (1) of 249  
this section shall apply only to a particular insured being 250  
treated for an autism spectrum disorder and shall not apply to 251

all individuals being treated for autism spectrum disorder by a 252  
physician, clinical nurse specialist, certified nurse 253  
practitioner, or psychologist. 254

(3) The insurer shall cover the cost of obtaining any 255  
review or treatment plan. 256

(E) A sickness and accident insurer shall use the industry 257  
standards of care set forth in the applied behavior analysis 258  
practice guidelines for the treatment of autism spectrum 259  
disorder published by the council of autism service providers to 260  
inform decision-making regarding the use of applied behavioral 261  
analysis as a medically necessary treatment service. 262

(F) This section shall not be construed as affecting any 263  
obligation to provide services to an insured under an 264  
individualized family service plan, an individualized education 265  
program, or an individualized service plan. 266

~~(F)~~ (G) As used in this section: 267

(1) "Applied behavior analysis" means the design, 268  
implementation, and evaluation of environmental modifications, 269  
using behavioral stimuli and consequences, to produce socially 270  
significant improvement in human behavior, including the use of 271  
direct observation, measurement, and functional analysis of the 272  
relationship between environment and behavior. 273

(2) "Autism spectrum disorder" means any of the pervasive 274  
developmental disorders or autism spectrum disorder as defined 275  
by the most recent edition of the diagnostic and statistical 276  
manual of mental disorders published by the American psychiatric 277  
association available at the time an individual is first 278  
evaluated for suspected developmental delay. 279

(3) "Clinical therapeutic intervention" means therapies 280

supported by empirical evidence, which include, but are not 281  
limited to, applied behavioral analysis, that satisfy both of 282  
the following: 283

(a) Are necessary to develop, maintain, or restore, to the 284  
maximum extent practicable, the function of an individual; 285

(b) Are provided by or under the supervision of any of the 286  
following: 287

(i) A certified Ohio behavior analyst as defined in 288  
section 4783.01 of the Revised Code; 289

(ii) An individual licensed under Chapter 4732. of the 290  
Revised Code to practice psychology; 291

(iii) An individual licensed under Chapter 4757. of the 292  
Revised Code to practice professional counseling, social work, 293  
or marriage and family therapy. 294

(4) "Diagnosis of autism spectrum disorder" means 295  
medically necessary assessment, evaluations, or tests to 296  
diagnose whether an individual has an autism spectrum disorder. 297

(5) "Industry standards of care" means the standards of 298  
care used in the applied behavior analysis practice guidelines 299  
for the treatment of autism spectrum disorder published by the 300  
council of autism service providers. 301

(6) "Pharmacy care" means prescribed medications and any 302  
health-related services considered medically necessary to 303  
determine the need or effectiveness of the medications. 304

~~(6)~~ (7) "Psychiatric care" means direct or consultative 305  
services provided by a psychiatrist or psychiatric-mental health 306  
advanced practice registered nurse who is licensed in the state 307  
in which the psychiatrist or nurse practices. 308

~~(7)~~(8) "Psychiatric-mental health advanced practice  
registered nurse" means an advanced practice registered nurse  
who is either of the following:

(a) A clinical nurse specialist who is certified as a  
psychiatric-mental health CNS, or the equivalent of such title,  
by the American nurses credentialing center;

(b) A certified nurse practitioner who is certified as a  
psychiatric-mental health NP, or the equivalent of such title,  
by the American nurses credentialing center or American academy  
of nurse practitioners certification board.

~~(8)~~(9) "Psychological care" means direct or consultative  
services provided by a psychologist licensed in the state in  
which the psychologist practices.

~~(9)~~(10) "Therapeutic care" means services provided by a  
speech therapist, occupational therapist, or physical therapist  
licensed or certified in the state in which the person  
practices.

~~(10)~~(11) "Treatment for autism spectrum disorder" means  
evidence-based care and related equipment prescribed or ordered  
for an individual diagnosed with an autism spectrum disorder, by  
a licensed physician who is a developmental pediatrician,  
licensed psychologist trained in autism, clinical nurse  
specialist or certified nurse practitioner specializing in  
pediatric health, or clinical nurse specialist or certified  
nurse practitioner trained in autism who determines the care and  
related equipment to be medically necessary, including any of  
the following:

(a) Clinical therapeutic intervention;

(b) Pharmacy care;

(c) Psychiatric care;	338
(d) Psychological care;	339
(e) Therapeutic care.	340
<del>(G)</del> (H) If any provision of this section or the application	341
thereof to any person or circumstances is for any reason held to	342
be invalid, the remainder of the section and the application of	343
such remainder to other persons or circumstances shall not be	344
affected thereby.	345
<b>Sec. 4783.01.</b> As used in this chapter:	346
(A) "Certified Ohio behavior analyst" means an individual	347
holding a current, valid certificate issued under section	348
4783.04 of the Revised Code.	349
<del>(B)</del> <del>(1)</del> (B) "Exam-eligible technician" means an individual	350
<u>who has met the requirements of division (B) of section 4783.40</u>	351
<u>of the Revised Code.</u>	352
<u>(C) (1)</u> "Practice of applied behavior analysis" means the	353
design, implementation, and evaluation of instructional and	354
environmental modifications to produce socially significant	355
improvements in human behavior and includes the following:	356
(a) The empirical identification of functional relations	357
between behavior and environmental factors, known as functional	358
assessment and analysis;	359
(b) Interventions based on scientific research and the	360
direct observation and measurement of behavior and the	361
environment;	362
(c) Utilization of contextual factors, motivating	363
operations, antecedent stimuli, positive reinforcement, and	364

other consequences to help people develop new behaviors, 365  
increase or decrease existing behaviors, and emit behaviors 366  
under specific environmental conditions. 367

(2) "Practice of applied behavior analysis" does not 368  
include psychological testing, diagnosis of a mental or physical 369  
disorder, neuropsychology, psychotherapy, cognitive therapy, sex 370  
therapy, psychoanalysis, hypnotherapy, and long-term counseling 371  
as treatment modalities. 372

**Sec. 4783.02.** (A) Except as otherwise provided in division 373  
(B) of this section and section 4783.40 of the Revised Code, no 374  
person shall do either of the following: 375

(1) Engage in the practice of applied behavior analysis in 376  
this state without holding a certificate issued under section 377  
4783.04 of the Revised Code; 378

(2) Hold the person's self out to be a certified Ohio 379  
behavior analyst unless the person holds a certificate issued 380  
under section 4783.04 of the Revised Code. 381

(B) This chapter does not apply to any of the following: 382

(1) An individual licensed under Chapter 4732. of the 383  
Revised Code to practice psychology, if the practice of applied 384  
behavior analysis engaged in by the licensed psychologist is 385  
within the licensed psychologist's education, training, and 386  
experience; 387

(2) An individual licensed under Chapter 4757. of the 388  
Revised Code to practice counseling, social work, or marriage 389  
and family therapy, if the practice of applied behavior analysis 390  
engaged in by the licensed professional counselor, licensed 391  
professional clinical counselor, licensed social worker, or 392  
licensed marriage and family therapist is within the licensee's 393

education, training, and experience; 394

(3) An individual acting under the authority and direction 395  
of an individual described in division (B)(1) or (2) of this 396  
section; 397

(4) An individual practicing applied behavior analysis who 398  
is supervised by a certified Ohio behavior analyst and acting 399  
under the authority and direction of that certified Ohio 400  
behavior analyst; 401

(5) The delivery of interventions by a direct care 402  
provider or family member to implement components of an applied 403  
behavior analysis treatment plan. 404

(6) A behavior analyst who practices with nonhuman or 405  
nonpatient clients or consumers, including applied animal 406  
behaviorists and practitioners of organizational behavior 407  
management; 408

(7) A licensed professional authorized to practice in this 409  
state who, in the offering or rendering of services, does not 410  
represent oneself in any printed materials or verbally by 411  
incorporating the term "applied behavior analyst," if the 412  
services of the licensed professional are within the scope of 413  
practice of the licensing law governing the licensed 414  
professional and the services performed are commensurate with 415  
the licensed professional's education, training, and experience; 416

(8) A matriculated graduate student or postdoctoral 417  
trainee whose activities are part of a defined program of study 418  
or professional training; 419

(9) An individual employed by the department of 420  
developmental disabilities, a county board of developmental 421  
disabilities, or a council of government consisting of county 422

boards of developmental disabilities, when the individual is 423  
acting in the scope of that employment; 424

(10) A professional employed in a school or other setting 425  
that falls under the regulation of the state board of education 426  
when the professional is acting within the scope of that 427  
employment. 428

(C) For purposes of division (B) (3) or (4) of this 429  
section, an individual is not subject to this chapter only if 430  
the licensed psychologist, the licensed professional counselor, 431  
the licensed professional clinical counselor, the licensed 432  
social worker, the licensed marriage and family therapist, or 433  
the certified Ohio behavior analyst under whose authority and 434  
direction the individual is acting pursuant to division (B) (3) 435  
or (4) of this section signs an attestation stating that the 436  
licensed psychologist, licensed professional counselor, licensed 437  
professional clinical counselor, licensed social worker, 438  
licensed marriage and family therapist, or certified Ohio 439  
behavior analyst is responsible for the care provided by the 440  
individual. 441

Sec. 4783.40. (A) Notwithstanding section 4783.02 of the 442  
Revised Code, an exam-eligible technician may engage in the 443  
practice of applied behavior analysis in this state in 444  
accordance with this section. 445

(B) To be eligible to practice as an exam-eligible 446  
technician pursuant to this section, an individual must be 447  
either of the following: 448

(1) The individual is in the process of becoming a 449  
registered behavior technician certified by the behavior analyst 450  
certification board and is practicing under the supervision of a 451

certified Ohio behavior analyst or a board certified assistant 452  
behavior analyst holding a valid certification from the behavior 453  
analyst certification board. 454

(2) The individual has satisfied all of the following 455  
criteria: 456

(a) The individual holds a high school diploma or higher 457  
degree. 458

(b) The individual has completed any equivalent coursework 459  
or training requirements for registered behavior technicians 460  
required by the behavior analyst certification board or its 461  
successor organization. 462

(c) The individual has passed an initial competency 463  
assessment, or otherwise been found eligible, to sit for a 464  
psychometrically valid examination administered by a nationally 465  
accredited credentialing organization. 466

(C) An exam-eligible technician meeting the requirements 467  
of this section may engage in the practice of applied behavior 468  
analysis in this state under the supervision of a certified Ohio 469  
behavior analyst for a period of ninety days after the date the 470  
individual meets the requirements of division (B) (1) of this 471  
section. If the individual does not achieve certification as a 472  
certified Ohio behavior analyst by the end of that ninety-day 473  
period, the individual is no longer eligible to engage in the 474  
practice of applied behavior analysis as an exam-eligible 475  
technician. 476

**Section 2.** That existing sections 1751.84, 3923.84, 477  
4783.01, and 4783.02 of the Revised Code are hereby repealed. 478

**Section 3.** PAYMENT RATES FOR ABA THERAPY SERVICES 479

For fiscal year 2027, the Department of Medicaid shall 480  
establish payment rates under the care management system 481  
established under section 5167.03 of the Revised Code, for 482  
applied behavior analysis therapy services used to treat 483  
Medicaid enrollees with a diagnosis of autism spectrum disorder. 484  
These payment rates shall equal one hundred per cent of the fee- 485  
for-service rate for current procedural terminology codes 97151 486  
through 97158. 487