



BULLET BACKGROUND PAPER ON AUTISM CARE DEMONSTRATION (ACD) PROGRAM

PURPOSE

Provide background and overview of the ACD program. Outline how the March 2021 Defense Health Agency (DHA) policy changes to applied behavior analysis (ABA) services are inconsistent with other federal and civilian health benefits.

BACKGROUND

- Congress enacted the ACD pilot program in 2014 to analyze and evaluate the validity of ABA under TRICARE; the demonstration is set to expire in December 2028
- DHA estimates number of active duty family members (ADFMs), and non-active duty family members (NADFMs) diagnosed with autism spectrum disorder (ASD) in FY 2020 was 35,473
- December 2021 Annual ACD Report to the Committees on Armed Services of the Senate and House of Representatives list 16,160 beneficiaries receiving ABA services through the ACD (12,049 ADFMs and 4,111 NADFMs)
- In March 2021, DHA implemented changes to the ACD that negatively affected families receiving ABA services and significantly increased requirements and restrictions on providers delivering those services to military families

DISCUSSION

- DHA describes ABA as “not yet meeting the reliable evidence standards as proven medically effective care” per TRICARE Operations Manual 6010.56-M, February 1, 2008, Chapter 18
- DHA stance on ABA and March 2021 ACD changes are inconsistent with recommendations and practice of major medical/mental health organizations and benefit providers
 - American Academy of Pediatrics (AAP) disagrees with DHA stance on ABA, “strongly disagrees with this statement and believes that ABA is a medically necessary benefit for children,” per memo from AAP to DHA, July 2021
 - 2022 Mental Health Parity and Addiction Equity Act (MHPAEA) report to Congress cited importance of protecting children’s access to ABA therapy as a protected mental health benefit; “delays or limits on access to treatments like ABA therapy, are especially harmful for children with ASD”
 - 2020 All fifty states require ABA services to be a covered benefit for fully funded insurance plans
 - Civilian Health and Medical Program of the Department of Veteran Affairs (CHAMPVA) provides ABA services as a medical benefit effective December 2020
 - 2019 American Medical Association (AMA) updated Current Procedural Terminology (CPT) codes set for ABA therapy to reflect a high level of medical evidence to support its use in ASD treatment
 - 2017 Office of Personnel Management (OPM) mandated all federal health plans cover ABA therapy
 - 2014 Centers for Medicare & Medicaid Services directed states to provide ABA therapy under Early and Periodic Screening, Diagnostic and Treatment (EPSDT) programs as a medical benefit

RECOMMENDATION

Require DHA to provide ABA to beneficiaries as a basic medical benefit (not a demonstration program) according to the accepted standards of care.