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Applied Behavior Analysis – Telehealth Guidelines

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- The Division of Developmental Disabilities (DD) established Telehealth Guidelines for certain Home and Community Based waiver Applied Behavior Analysis (ABA) services, which includes limitations on the use of ABA telehealth, requirements for the ABA service provider and documentation guidelines for when telehealth is utilized in the service delivery process.

Effective July 1, 2019, the following ABA services may be delivered to a participant using telehealth for a portion as defined in the Service Limitations Section below. Service definitions and staff qualifications did not change as defined in the Medicaid waiver applications.

The	Waiver Service	Code(s)
	Behavior Identification Assessment	97151 HO
	Behavior Identification Supporting Assessment (Previously Observational Behavioral Follow-Up Assessment)	97152 HO, HN, HM
	Adaptive Behavior Treatment with Protocol Modification	97155 HO & HN
	Family Adaptive Behavior Treatment Guidance	97156 HO & HN
	Group Adaptive Behavior Treatment with Protocol Modification (Previously Behavior Treatment Social Skills Group)	97158 HO & HN

Developmental Disabilities Waivers Manual will be updated with the following guidelines.

Provider Requirements

Providers of services via telehealth must have established policies and procedures that will address:

- A. Express consent obtained for telehealth service delivery from participants served and their guardian.
- B. Process for trouble-shooting and repairing any device or internet problems experienced by the participant during the delivery of the service. Service delivery provider secures appropriate special equipment or software and determines there is access to internet with sufficient bandwidth to support audio/video conferencing both at the site of the participant served and the provider.
- C. Process to ensure privacy during the delivery of service and of any records maintained if recording of session is possible, including antivirus software with Health Insurance Portability and Accountability Act (HIPAA) safeguards and secure audio/video platforms.
- D. Process for evaluating the benefits of telehealth as a service modality for each participant.

Service Limitations

All of the following limits apply to the participant's plan year.

Behavior Identification Assessment—Interview and debriefing/review of assessment results.

Behavior Identification Supporting Assessment (Previously Observational Behavioral Follow-Up Assessment)—At least 25% of total authorized units must be done face to face.

Adaptive Behavior Treatment with Protocol Modification—No more than 75% of observation and supervision of a technician's services under Adaptive Behavior Treatment with Protocol Modification by technician, no more than 50% of QHCP direct service may be done through telehealth. Review of recordings of the services by a technician or of the behavior of the participant will not be considered a billable telehealth service. Telehealth services may only be delivered in real time.

Family Adaptive Behavior Treatment Guidance—No more than 75% of total authorized service units may be done through telehealth.

Group Adaptive Behavior Treatment with Protocol Modification (Previously Behavior Treatment Social Skills Group)—No more than 75% of total authorized service units may be done through telehealth.

If the delivery of the service would otherwise occur by the QHCP demonstrating or implementing a strategy directly, then a competency trained on-sight implementer must be present for the remote therapist to work through. The QHCP must include in the plan for services the local assistance that will be accessed if emergencies occur during the delivery of the ABA services via telehealth. The local assistance agencies or individuals must have given prior consent to serve as the emergency assistance, must have been competency trained in the plan and must be readily available any time this assistance might be required during the delivery of the ABA services.

The functional behavioral assessment (which is a combination of service codes 97151, 97152, and 0362T) must include specific assessment of the benefits and risks of service through telehealth. If telehealth is chosen as a part of the service package, the choice of telehealth modality should be made based on needs of the participant served, not the ease of the service provider. This need of the participant must be included in the documentation of this evaluation and should be part of the participant's records when chosen as part of the service plan.

The Division of DD Area Behavior Analysts will monitor for participants approaching telehealth limits on ABA services by participant plan year. Participants who have exceeded their telehealth limits will be identified for provider recoupments.

Place of Service Code

The "02" Place of Service code has been added for telehealth. Providers must indicate telehealth as the place of service when submitting telehealth claims.

Documentation Requirements

ABA providers are required to keep a complete medical record of a telehealth service provided to a participant and follow applicable state and federal statutes and regulations for medical record keeping and confidentiality in accordance with 13 CSR 70-3.020 and 13 CSR 70-3.030 as described in the Developmental Disabilities Waivers Manual. This includes detailed progress notes per date of service and monthly progress notes associated with objectives listed in the Individual Support Plan and the individual Behavior Support Plan. Written data shall be submitted to Department of Mental Health staff as requested.