
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES' MED-QUEST DIVISION
TO TAKE STEPS NECESSARY TO ENSURE THAT ADEQUATE PROVIDER
RATES ARE ESTABLISHED FOR APPLIED BEHAVIOR ANALYSIS
SERVICES.

1 WHEREAS, applied behavior analysis is a medically necessary
2 service provided for Med-QUEST beneficiaries under the age of
3 twenty-one with an autism spectrum disorder diagnosis; and

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5 WHEREAS, the Med-QUEST reimbursement rates for applied
6 behavior analysis services were set in 2015 and have not
7 increased; and

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9 WHEREAS, the State's current reimbursement rate for applied
10 behavior analysis services, and in particular for registered
11 behavior technicians, is below the current market rate; and

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13 WHEREAS, Medicaid agencies in other states have increased
14 their reimbursement rates over the years while Med-QUEST
15 reimbursement rates have remained the same; and

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17 WHEREAS, other public payors in the State, including the
18 Department of Education and Department of Health's Developmental
19 Disabilities Division pay higher rates for applied behavior
20 analysis services, with the Department of Education paying a
21 difference of \$25 per hour on the neighbor islands and the
22 Developmental Disabilities Division paying a difference of
23 \$19.45 per hour; and

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25 WHEREAS, because the American Medical Association's Current
26 Procedural Terminology codes for applied behavior analysis
27 services are carrier priced, the Centers for Medicare and
28 Medicaid Services Medicare Physician Fee Schedule does not
29 currently set rates for these services; and



H.C.R. NO. 203

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WHEREAS, wages in the State have increased by thirty percent since 2015, forcing applied behavior analysis service providers to shoulder increased staff costs without a proportionate rate increase; and

WHEREAS, applied behavior analysis service providers across the State have reported an inability to meet the demand for services by Med-QUEST beneficiaries, largely due to difficulty in hiring and retaining providers given the State's high cost of living and the demand for increased wages; and

WHEREAS, families who have been able to access services report not being able to access the full amount of services recommended for their child due to a lack of providers; and

WHEREAS, families also report significant delays in timely access to services and being placed on years long waitlists for services; and

WHEREAS, research demonstrates that early intensive intervention and the provision of services in line with professional standards of care produces the best outcomes for individuals and can decrease the cost of care over the individual's lifetime; and

WHEREAS, under federal law, all covered Medicaid services must be provided with "reasonable promptness"; and

WHEREAS, as part of the Early and Periodic Screening, Diagnostic and Treatment benefit established pursuant to Section 1905(r) of the Social Security Act, Medicaid agencies must employ processes to ensure timely initiation of treatment; now, therefore,

BE IT RESOLVED by the House of Representatives of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2023, the Senate concurring, that the Department of Human Services' Med-QUEST Division is requested to take steps necessary to ensure that adequate provider rates are established for applied behavioral analysis services; and



H.C.R. NO. 203

1 BE IT FURTHER RESOLVED that the Med-QUEST Division is
2 further requested to assess current reimbursement rates for
3 applied behavior analysis services; and

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5 BE IT FURTHER RESOLVED that the Med-QUEST Division is
6 requested to submit a report of its findings and recommendations
7 on appropriate reimbursement rate increases, including any
8 proposed legislation, to the Legislature no later than twenty
9 days prior to the convening of the Regular Session of 2024; and

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11 BE IT FURTHER RESOLVED that certified copies of this
12 Concurrent Resolution be transmitted to the Director of Human
13 Services and Administrator of the Med-QUEST Division.

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OFFERED BY: Bill A. Belotti

MAR 10 2023

