

## MINUTES

### KANSAS AUTISM TASK FORCE

September 17, 2008  
Room 783—Docking State Office Building

#### Members Present

Dr. Bill Craig, Chairperson  
Representative Melody McCray-Miller (via conference call)  
Representative Judy Morrison  
Sarah Bommarito  
Dr. Linda Heitzman-Powell  
Yeyette Houfek (via conference call)  
Jim Leiker, *ex officio*  
Dr. Matt Reese  
Colleen Riley, *ex officio*  
Dr. Mike Wasmer  
Dr. Jane Wegner  
Margaret Zillinger, *ex officio*  
Jeanie Zortman (via conference call)

#### Staff Present

Martha Dorsey, Kansas Legislative Research Department  
Nobuko Folmsbee, Office of the Revisor of Statutes  
Renaee Jefferies, Office of the Revisor of Statutes  
Ken Wilke, Office of the Revisor of Statutes  
Rose Marie Glatt, Committee Assistant

Chairperson Craig called the meeting to order at 9:40 a.m., and welcomed the Committee to the September Task Force Meeting. Members attending reviewed the minutes of the August 22, 2008, meeting. *Dr. Reese moved to approve the August minutes. Dr. Heitzman-Powell seconded. Motion carried.*

#### Autism Waiver Update

Margaret Zillinger, Department of Social and Rehabilitation Services, distributed information on the HCBS Autism Waiver ([Attachment 1](#)). Data provided a breakdown by county of residence for the 45 children currently being served through the waiver program, as well as including a list of the 12 counties in which 54 approved enrolled providers operate.

Two Kansas maps were distributed. The first reflected the location of the children receiving autism services (Attachment 2). The second provided geographic distribution of the applicants for the Autism Waiver (waiting list) (Attachment 3).

As of September 15, 2008, there were 157 children on the waiting list. Ms. Zillinger explained that each service provider has to enroll regardless of employment by a company or agency. This is done in order to verify they have appropriate qualifications and certifications that are required by the Department of Social and Rehabilitation Services (SRS). They continue to work and recruit qualified personnel in the rural areas of Kansas to serve the individuals in those communities. Applications continue to come in at a slower rate, which is evidence that information on the program is being circulated. In response to a question concerning the future growth of the program, Ms. Zillinger said that at today's 3:30 p.m. stakeholder's meeting, the Secretary is expected to make an important announcement on program enhancements, which is included in its 2009 budget recommendation. Utilization dollars spent from January to June 2008 were \$16,000 for assessments and \$8,000 for services. At this time there are no billing issues. Handouts at today's meeting will be forwarded to all members not in attendance.

### **Insurance Bill Review and Approval**

Ken Wilke, Office of the Revisor of Statutes, distributed a draft copy of a proposed bill that would provide insurance coverage for autism spectrum disorder, amend KSA 2007 Supp. 40-2,103, 40-2,105, 40-2,105a and 40-19c09 and repeal the existing sections (Attachment 4).

Mr. Wilke reviewed minor and technical changes in the draft, stating this bill was similar to the one discussed at the last meeting. He indicated the following changes:

- On page 1 the word "autism" was changed to "autism spectrum disorder," thus carried throughout the bill;
- The definition of "applied behavior analysis" was replaced per information given to staff by Dr. Wasmer. In addition he included a new definition of "behavior analysis" on page 4, "(4)";
- On page 6, "(2)", the first sentence remained the same. On page 7, the second sentence was expanded to clarify the obligation of insurer, which reads: Pending a final decision of the district court, the insurer shall pay for those covered services previously denied and any additional services authorized by the district court; and
- On page 7, subsection (k), states this section shall be known and may be cited as the accessing autism spectrum disorder services act.

Discussion followed regarding the pros and cons of inserting "lifetime cap." Mr. Wilke discouraged the use of "lifetime cap" as it could create a potential issue of definition. Dr. Heitzman-Powell agreed the bill is written to include a wide range of professional interventions and not narrowly prescriptive of a particular approach to treating autism.

*Dr. Reese moved that the Task Force approve and recommend the bill to the Legislature for enactment. Sarah Bommarito seconded the motion. The Task Force unanimously approved the motion.*

Dr. Craig explained the insurance bill will become an integral part of the final report, which will be presented, in draft form, on October 9, 2008, to the Legislative Educational Planning Committee (LEPC).

### **Master Teacher Program Presentation**

Steven Rowley, President, The Master Teacher Program, explained the program specializes in professional development materials for K-12 educators. Their programs train paraprofessionals who spend eight hours a day with the children, and teachers in whose classes they are assigned. The programs are web-based, which can be utilized at the school or professional's home.

The Master Teacher Program currently is providing two types of products and a third will be released next spring. The program will allow for a much broader form of training and education to take place in the schools.

Mr. Rowley introduced Erin Dugan, Executive Director, Special Services, Olathe Public Schools, one of the authors and advisors for the Master Teacher materials. Ms. Dugan reviewed the materials used to train professionals in their school district with a PowerPoint presentation.

Discussion followed regarding the scope of the program and the distribution timeframe. Mr. Rowley responded that there have been 1.8 million courses distributed nationally, with materials being distributed internationally as well.

### **Professionals and Paraprofessionals Subcommittee Report of Scholarship Bill**

A draft copy of a proposed bill entitled "an act concerning colleges and universities; relating to fees and tuition; establishing the autism service scholarship program" was distributed ([Attachment 5](#)). Dr. Matt Reese said the Subcommittee met with the Board of Regents regarding their proposed bill and the following issues were discussed.

- The original bill stated the scholarships would be available to allied health professionals (*i.e.*, speech and language pathologists, behavior analysts, occupational therapists (OT), and social workers) who have an emphasis in autism in their curriculum. The Committee believed the language needed to be more specific and these people would be required to have coursework and practicum experience in autism. They changed the word "emphasis" to "coursework and practicum experience."
- The intent of the bill was to place people in underserved areas. In the original bill, it was stated that the State Board of Education would identify the underserved areas. To broaden the bill in terms of underserved areas (*i.e.*, Medicaid waiver) they suggested that the State Board of Education and SRS identify the underserved areas.
- The Subcommittee discussed scholarship eligibility as it relates to time spent with children with autism. Allied health professionals may serve individuals with autism, as well as other children. After discussion, they determined 20 percent would be appropriate.

- Currently, the word “children” is used in the bill. To meet growing community needs, they recommended that the word “children” be changed to “individuals.”
- In the original draft, “bachelors” and “masters” degreed individuals would be eligible for licenses. In the *new* draft on page 2(e) “Institution” means a “community college” as defined by statute and (f) “qualified student” the word “masters” and “bachelors” were removed and “as a professional” inserted. The Board of Regents stressed that applicants should be certified or licensed to be eligible.

Many professionals are not licensed in the State of Kansas; therefore, the Subcommittee discussed whether paraprofessionals, who are in the community colleges should be added to “licensed” or “certified.” There was concern that the program might become diluted, as there is no certification for paraprofessionals at this time. After discussion, it was agreed the language should be returned to that contained in the original draft.

Discussion followed regarding the difference in “qualification” and “certification.” Task Force members addressed the difficulty of finding a degreed individual to provide the necessary community services in rural areas of the state. Everyone agreed this legislation is a good start; however, there was support for drafting additional legislation to facilitate and provide scholarships for training individuals at the paraprofessional level.

*After discussion, it was moved and seconded to approve the amended bill, (the original draft of the bill) which was written for “masters” and “bachelors” individuals, and does not include community college. The motion carried unanimously.*

### **Discussion on the Need for Extension of Task Force or a Successor Entity**

Dr. Craig said the main elements of the final report are understood and it will be submitted to the LEPC at the November meeting. As it stands now, the Task Force is to conclude its business at the end of the calendar year. He invited discussion on whether the Kansas Autism Task Force should request an extension of its time from the Legislature. The Task Force has addressed six of the nine aspects of the initial charge and there are elements of unfinished business.

Dr. Heitzman-Powell explained part of the unfinished business was data compiled from significant work done by the Subcommittee. She distributed a draft copy of the “Best Practices for Autism Treatment in Kansas” category (Attachment 6). She advised members that the National Autism Center recently authorized the National Standards Project, which will release its recommendations soon. An extension of the Task Force would allow the “Best Practices Subcommittee” to continue its process until that report is published.

Discussion followed regarding what goals were set and whether they were met in the original time frame. The question of whether the Task Force should move to the advocacy stage was raised. The accomplishments of the Task Force were described: proposed legislation, recommendations, networking, and urgency of public and political education.

Dr. Craig said that under the mandate of recommendations to the Legislature, it may be possible to see that the Task Force is not limited to a single report, but rather as being available to the Legislature, during its periods of deliberations, to provide input and education on Task Force

recommendations. That could be justification for an extension. There was support for the possibility of transference of power to the Governor's commission to allow them a voice. Since several Task Force members serve on the Governor's commission, it would allow them to continue to monitor the progress. Dr. Heitzman-Powell requested additional support in order to finish the Subcommittee's work. Dr. Craig said there was consensus that the Task Force was not done and needed additional time to finish its work and allow for a smooth transition to another entity such as the Governor's commission.

Colleen Riley, Kansas State Department of Education (KSDE), provided updates on:

- A new autism guidelines document, which is in final editing stages, that has been developed at the national stakeholders meeting level. It will be posted on the KSDE website and will have a public comment area to be used for edification if necessary. Its purpose is to provide guidance to K-12 educators.
- There is a national autism conference in November and a team of ten will be attending. There will be a March workshop in Wichita for special education administrators to distribute information on "What to do when you have children with challenging behavior." It will cover topics on how you support those children and their families.
- KSDE has added a new position whose specific role will be as a liaison for parents statewide.
- New resource: Technical Assistance for Special Education (TASE) document. This is available at: [www.usu.edu/tase](http://www.usu.edu/tase).

Jeanie Zortman requested information on the Wichita workshop for education administrators.

Jim Leiker distributed copies of the 2008 State Autism Profiles, compiled by Easter Seals, which is located at [www.easterseals.com/autismprofiles/](http://www.easterseals.com/autismprofiles/). It provides a summary of what each state is doing regarding autism legislation. He spoke briefly about a presentation made recently by Easter Seals and the Association of Universities Center on Disabilities (AUCD) at a National Conference of State Legislatures in New Orleans regarding federal and state activities on autism. He suggested that he could share that information at a future date.

The meeting was adjourned at 11:43 a.m. The next meeting is November 12, 2008.

Prepared by Rose Marie Glatt  
Edited by Martha Dorsey

Approved by Task Force on:

November 12, 2008  
(Date)