

HOUSE BILL No. 1414

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-8-1.5-21; IC 12-15-1.3-23.5; IC 12-21-7.1-4.5.

Synopsis: ABA therapy. Requires the office of the secretary of family and social services (office of the secretary) to: (1) study and prepare a report on applied behavior analysis (ABA) therapy services; and (2) not later than August 1, 2025, submit the report to specified entities, including the Indiana behavioral health commission (commission) and the general assembly. Specifies the information that must be in the report. Requires the commission to hold a public meeting to discuss the contents of the report and submit recommendations to the general assembly. Prohibits the office of the secretary from amending any Medicaid waiver or the Medicaid state plan to reduce or limit applied behavior analysis therapy services until the general assembly has reviewed the report and the commission's recommendations.

Effective: Upon passage.

Cash, Greene, Clere

January 13, 2025, read first time and referred to Committee on Public Health.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1414

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-8-1.5-21 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 21. (a) The office of the secretary shall, in**
4 **consultation with stakeholders, study and prepare a report on the:**
5 **(1) provision of; and**
6 **(2) reimbursement for, including reimbursement under**
7 **Medicaid;**
8 **applied behavior analysis therapy services.**
9 **(b) The report described in subsection (a) must include the**
10 **following:**
11 **(1) The number of individuals who receive applied behavior**
12 **analysis therapy services in Indiana.**
13 **(2) The number of individuals described in subdivision (1)**
14 **who receive applied behavior analysis therapy services**
15 **through:**
16 **(A) Medicaid;**
17 **(B) commercial insurance; or**



- 1 (C) self-pay.
- 2 (3) The actual number of hours an individual described in
- 3 subdivision (1) receives, on average, applied behavior analysis
- 4 therapy services per week.
- 5 (4) The number of individuals who, as of July 1, 2025:
- 6 (A) are receiving applied behavior analysis therapy
- 7 services; or
- 8 (B) have received applied behavior analysis therapy
- 9 services;
- 10 for at least three (3) years.
- 11 (5) Behavioral health research on limiting applied behavior
- 12 analysis therapy services to a certain number of:
- 13 (A) hours per week; or
- 14 (B) years.
- 15 (6) If the office of the secretary proposes to reduce or limit the
- 16 provision of applied behavior analysis therapy services under
- 17 the Medicaid program, the following:
- 18 (A) The number of individuals who:
- 19 (i) are receiving applied behavior analysis therapy
- 20 services under the Medicaid program; and
- 21 (ii) will no longer be eligible to receive applied behavior
- 22 analysis therapy services under the office of the
- 23 secretary's proposal.
- 24 (B) The fiscal and staffing impact on public schools and
- 25 charter schools, including the amount of time and staff
- 26 necessary to:
- 27 (i) evaluate students for; and
- 28 (ii) provide;
- 29 applied behavior analysis therapy services.
- 30 (C) Whether the proposed reduction or limitation of
- 31 applied behavior analysis therapy services violates state or
- 32 federal law.
- 33 (c) Not later than August 1, 2025, the office of the secretary shall
- 34 submit the report described in subsection (a) to the following:
- 35 (1) The Indiana behavioral health commission established by
- 36 IC 12-21-7.1-2.
- 37 (2) The general assembly, in an electronic format under
- 38 IC 5-14-6.
- 39 (3) The Medicaid oversight committee, in an electronic format
- 40 under IC 5-14-6.
- 41 (4) The Medicaid advisory commission created by
- 42 IC 12-15-33-2.



1 **(5) The services for individuals with intellectual and other**
2 **developmental disabilities task force established by**
3 **IC 12-11-15.5-2.**

4 **(d) This section expires December 31, 2025.**

5 SECTION 2. IC 12-15-1.3-23.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE UPON PASSAGE]: **Sec. 23.5. The office of the**
8 **secretary may not amend:**

9 **(1) any Medicaid waiver; or**

10 **(2) the Medicaid state plan;**

11 **to reduce or limit applied behavior analysis therapy services until**
12 **the general assembly has reviewed the report required under**
13 **IC 12-8-1.5-21 and the recommendations required under**
14 **IC 12-21-7.1-4.5.**

15 SECTION 3. IC 12-21-7.1-4.5 IS ADDED TO THE INDIANA
16 CODE AS A NEW SECTION TO READ AS FOLLOWS
17 [EFFECTIVE UPON PASSAGE]: **Sec. 4.5. Not later than November**
18 **1, 2025, the commission shall:**

19 **(1) hold a public meeting to discuss the contents of the report**
20 **received under IC 12-8-1.5-21; and**

21 **(2) submit recommendations to the general assembly, in an**
22 **electronic format under IC 5-14-6.**

23 SECTION 4. **An emergency is declared for this act.**

