

# DISABILITY RIGHTS MAINE

March 29, 2023

Senator Joe Baldacci, Chair  
Representative Michele Meyer, Chair  
Committee on Health and Human Services  
Cross Office Building, Room 209  
Augusta, Maine 04333

*Re: LD 473, Resolve, to Expand the Eligibility for and Increase the Number of Hours of Applied Behavior Analysis Services Authorized by the MaineCare Program*

Dear Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee On Health and Human Services:

My name is Staci Converse and I am a Managing Attorney at Disability Rights Maine (DRM). DRM is Maine's designated Protection and Advocacy Agency, and our mission is to advance justice and equality by enforcing rights and expanding opportunities for people with disabilities in Maine. On behalf of DRM, I submit this testimony neither for nor against LD 473, *Resolve, to Expand the Eligibility for and Increase the Number of Hours of Applied Behavior Analysis Services Authorized by the MaineCare Program*.

This legislation would require the Department of Health and Human Services to amend its rules to allow reimbursement for up to 120 hours of applied behavior analysis services (ABA) for the Sections 21 and 29 waivers. DRM broadly supports increasing reimbursement for consultative services so that individuals with disabilities have access to the services they need to thrive. However, we believe that the current proposal, which limits reimbursement to ABA services, is not the best approach for all people on the Sections 21 and 29 waivers.

While ABA can be an effective therapy for some individuals with disabilities, it is not appropriate for everyone. Each individual has unique needs and may require different types of therapy and support. Moreover, some individuals may not respond well to ABA therapy, or may find it distressing. Additionally, while therapy services are vital

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MAINE'S PROTECTION AND ADVOCACY AGENCY FOR PEOPLE WITH DISABILITIES

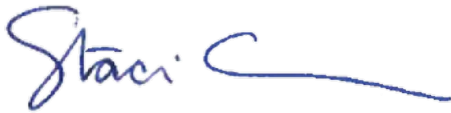
in supporting individuals, there are other consultative services that are equally essential in improving the quality of life of individuals with developmental disabilities.

Currently, Section 21 covers 16.5 hours annually of consultation services, which include physical therapy, occupational therapy, speech therapy, and behavioral and psychological therapy, including ABA. DRM supports increasing the limits of hours of these consultation services, but, particular for behavioral and psychological therapy, it should not be limited to one modality, but should be inclusive so that individuals are able to access the type of therapy that is appropriate to meet their needs.

Therefore, we suggest that the cap for all consultative services be increased, not just limited to ABA services. This will ensure that individuals with developmental disabilities receive the full range of care they require to lead fulfilling lives.

Thank you for considering our testimony. We appreciate the committee's continued efforts to improve access to services for individuals with disabilities.

Sincerely,

A handwritten signature in blue ink that reads "Staci" followed by a long, horizontal flourish.

Staci Converse  
Managing Attorney