

**PROPOSED REGULATION OF THE
AGING AND DISABILITY SERVICES DIVISION OF
THE DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R013-12

AUTISM TREATMENT ASSISTANCE PROGRAM

EXPLANATION – Matter *in italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

NAC 427a.xxx Nevada Autism Treatment Assistance Program

1. Definitions:

- a. Division- means the Aging and Disability Services Division.*
 - b. Public Agency Providing Autism Services- means the State or a local government or an agency thereof that provides directly, or through a grant contract or other agreement, assessments, interventions or diagnoses of persons with autism spectrum disorders through the age of 21 years. This definition shall include the Autism Treatment Assistance Program as defined in NRS 427A.XXX, public schools, the Vocational Rehabilitation Division and the State Early Intervention Services System.*
- 2. For diagnosing or determining whether a person is a person with autism spectrum disorder (ASD), a Public Agency Providing Autism Services shall:*
- a. Use the Autism Diagnostic Observation Scale (ADOS);*
 - b. Autism Diagnostic Observation Schedule-Generic (ADOS-G); or,*
 - c. Autism Diagnostic Observation Schedule –For Infants (ADOS-I.)*
 - d. A Public Agency Providing Autism Services wishing to use an alternative diagnostic tool can request a waiver from the Division. However, the alternative diagnostic tool must include:*
 - i. Direct observation by the professional conducting the assessment;*
 - ii. A review of the person’s developmental history;*

- iii. *Components to determine the person's cognitive level, measure adaptive, social and emotional behavior, and assess receptive and expressive language; and,*
 - iv. *Be approved by the Division prior to use.*
- 3. *If a person is determined to be a person with ASD, a Public Agency Providing Autism Services shall:*
 - a. *Ensure an assessment is completed at the time services begin, if a diagnosis of ASD has already occurred; or,*
 - b. *Ensure an assessment is completed following a diagnosis, if diagnosis occurs after services begin.*
 - c. *Additionally, an assessment shall be conducted at the time the person with ASD is exited from the relevant program of the Public Agency Providing Autism Services.*
 - d. *Any assessment conducted pursuant to this chapter shall:*
 - i. *Assess the person's cognitive ability using a norm-referenced instrument;*
 - ii. *Assess the person's receptive and expressive language levels using a norm-referenced instrument; and,*
 - iii. *Assess the person's adaptive behavior in multiple settings using a formal adaptive behavior measure.*
- 4. *The Nevada State Health Division (NSHD) shall report to the Division no later than August 31 of each year, beginning August 31, 2013, along with data required by NRS 427A.XXX, individualized data for each person with ASD receiving services through any program operated by, or through a grant, contract or other agreement with, NSHD regarding the following skill sets, as appropriate to the chronological age of the individual:*
 - a. *Generalized imitation skills;*
 - b. *Ability to visually discriminate;*
 - c. *Ability to follow a 2-step instruction;*
 - d. *Expression of wants and needs;*
 - e. *Ability to play appropriately with at least 5 toys;*

- f. Cognitive level;*
 - g. Adaptive social/emotional behavior score; and,*
 - h. Receptive and expressive language score at intake, and exit if available.*
 - i. In addition, the number of children determined to have ASD through the use of the ADOS shall be reported.*
5. *The Nevada Vocational Rehabilitation Division shall report to the Division no later than August 31 of each year, beginning August 31, 2013, along with data required by NRS 427A.XXX, individualized data about each person with ASD receiving their services:*
- a. Type of closure;*
 - b. Types of support or training required to remain employed;*
 - c. Amount spent on support or training;*
 - d. Number of hours working weekly;*
 - e. Hourly rate of compensation, if applicable;*
 - f. Number of returns for supplemental vocational rehabilitation services, if applicable;*
 - g. Employment start date and related job title; and,*
 - h. Closure date.*