

Received via [membership@mibap.org](mailto:membership@mibap.org) on June 12, 2026

Good afternoon,

CEI CMH does not operate any automatic exclusion for the authorization and provision of Medicaid ABA services based solely on time of day. Each individual seeking to pursue Medicaid ABA services that has met MI Mental Health Code and Michigan Medicaid Manual eligibility requirements to access Behavioral Health Treatment services (BHT) receives individualized and person-centered planning to pursue all relevant supports and services to assist them in reaching their goals in the least restrictive manner achievable. If MiBAP seeks to engage in case-specific discussions regarding any alleged concerns, MiBAP should first provide the appropriate written authorizations and releases, consistent with HIPAA and any other applicable confidentiality requirements, to permit CEI CMH to participate in further coordination. This requirement would likewise apply to any request by MiBAP to discuss case-specific circumstances in which CEI CMH has authorized Medicaid-funded ABA services in the school setting.

Current Michigan Medicaid Provider (MMP) manual stipulates that the provision of BHT (ABA) services eligibility criteria must be met which includes but is not limited to include: "coordination with the school and/or early intervention program is critical. Collaboration between school and community providers is needed to coordinate treatment and to prevent duplication of services. This collaboration may take the form of phone calls, written communication logs, participation in team meetings (i.e., Individualized Education Plan/Individualized Family Service Plan [IEP/IFSP], Individual Plan of Service [IPOS], etc.)."

Further, MMP stipulates in 18.10 that "the behavioral intervention should be provided at an appropriate level of intensity in an appropriate setting(s) within the individual's community for an appropriate period of time, depending on the needs of the individual and their family or authorized representative(s). Clinical determinations of service intensity, setting(s), and duration are designed to facilitate the individual's goal attainment. These supports may serve to reinforce skills or lessons taught in school, therapy, or other settings, but are not intended to supplant responsibilities of educational or other authorities. Each individual's IPOS must specify how identified supports and services will be provided as part of an overall, comprehensive set of supports and services that does not duplicate services that are the responsibility of another entity, such as a private insurance or other funding authority, and do not include special education and related services defined in the Individuals with Disabilities Education Act (IDEA) that are available to the individual through a local education agency."

Schools must adhere to IDEA (Individuals with Disabilities in Education Act). One of the primary goals of IDEA is to provide children with special needs as much access to the standard public-school experience as possible. Students with disabilities are entitled to receive educational services comparable to their general education peers in the least restrictive appropriate environment. When the school is considering whether to provide a reduced day this is done through the IEP process. If the IEP team has assessed and determined that they are able to support the child in a full day with appropriate supplementary aids and services, then IDEA generally requires that the student must be provided an offer of FAPE (Free Appropriate Public Education) that includes access to a full day. Schools are best equipped on how to measure and document this within their IEP process. Further guidance regarding shortened school day and IDEA mandates, under 34 CFR §300.17, can be found through the MDE Office of Special Education Guidance document on Shortened School Day which is also available through MDHHS MDE webpage.

However, students are entitled to both a full day of education and ABA therapy. ABA therapy is not intended to replace education in a general education setting but provided in addition to school in a manner that does not supplant or supplement school. For this reason, Medicaid ABA services should not occur during timeframes when FAPE is offered to a student and therefore consideration for after school hours for direct ABA services often occurs. To ensure consistency across environments, part of the person-centered process includes coordination of care with the school system. We here at CEI CMH strongly encourage opportunities for our ABA providers and all relevant service providers to coordinate with the families and the school team and offer additional training and support opportunities as appropriate, even if direct intervention is not occurring during school timeframes.

Michigan MDE also notes that Medicaid has expanded school-based services (SBS) “offerings to include reimbursement for BCBA’s and BCaBA’s.” Should the IEP determine it is educationally necessary to provide a medical treatment during school hours through FAPE, a percentage of the costs associated with the providers salary and services may be reimbursed through SBS for a Medicaid eligible student. It is relevant to note, that though ABA therapy can be provided by a school district, districts are not required to provide ABA therapy unless it has been determined by the IEP team to be required for a student in order to receive FAPE. This is not required to go through the CMHSP as these clinicians may be employees of the school system or contracted specifically for this purpose and per MDHHS-PUB-2073 “If the IEP team determines a service is necessary for FAPE, it is the districts responsibility to provide the service at no cost to the parents... and the district may not deny programs and/or services for

administrative convenience”. Additional documentation regarding this can be found in a multitude of ways including, but not limited to: Michigan MDE Family Matters, Medicaid Behavioral Health Treatment: Applied Behavior Analysis FAQ, MICC Michigan Innovations in Care Coordination ABA treatment Guidance Document, MAASE ABA & Michigan Schools MORE is MORE, and MDHHS -PUB-2073 Guidelines for the Provision of Applied Behavior Analysis (ABA) in Public Schools. Additional information regarding the use of DTT within the school and learning settings and its restrictive nature and contradiction to IDEA is also available for review in MDHHS-PUB-2073.

Should the school determine through the IEP process that they have exhausted all appropriate services and supports (FAPE) and are unable to effectively meet the needs of the student and a shortened school day is determined appropriate and meets MDE Office of Special Education requirements regarding a shortened school day (IDEA: 34 CFR §300.320 and 34 CFR §300.109) this is documented within the IEP so as to not violate the students civil rights. At this point an individual may increase their authorization for ABA to include additional daytime hours in alignment with the IEP and provision of ABA services will continue to be provided in the environment most appropriate to the individual and their needs and authorized through the CMHSP for Medicaid eligible and enrolled individuals.

Please let us know what additional information may be needed to help MiBAP understand the person-centered process and how that encompasses the pursuit and provision of Medicaid ABA services for enrolled individuals. Please note as mentioned above the need to follow all confidentiality practices if discussing case-specific circumstances.

**Key authorities, sections, and evidence/outcomes referenced:**

- **Michigan Medicaid Provider Manual – Behavioral Health Treatment/ABA eligibility and coordination requirements:**
  - **Michigan Medicaid Provider Manual, Section 18.10**
- **Michigan Mental Health Code – Person-centered planning and IPOS requirements**
- **MDHHS Bureau of Specialty Behavioral Health Services: Person Centered Planning Policy**
- **IDEA – Free Appropriate Public Education and least restrictive environment**
- **34 CFR §300.17 – FAPE**
- **34 CFR §300.320 – IEP requirements**
- **34 CFR §300.109 – Full educational opportunity goal**
- **MDE Office of Special Education guidance on Shortened School Day**

- MDHHS Medicaid Behavioral Health Treatment” Applied Behavior Analysis Frequently Asked Questions (last updated 02/05/2019)
- MICC Michigan Innovations in Care Coordination ABA treatment Guidance
- Michigan Association of Administrators of Special Education: ABA & Michigan Schools MORE is MORE
- Document: A guide for families of children with Autism Spectrum Disorder
- MDHHS-PUB-2073 – Guidelines for the Provision of Applied Behavior Analysis (ABA) in Public Schools
- Michigan MDE Family Matters and school-based services guidance

Sincerely,

Clorisa Adleman | MSW, LMSW, QIDP

Autism Supervisor

Community Mental Health Authority of Clinton, Eaton, Ingham Counties



telephone: (517)346-8362

fax: (517)664-5325

email: [adleman@ceicmh.org](mailto:adleman@ceicmh.org)

website: [www.ceicmh.org](http://www.ceicmh.org)

This email might contain confidential patient or other information that is protected by federal and state law. If you believe that this email reached you accidentally please reply back to notify me about the error, and please do not share this email with anybody else. If you are not the intended recipient do not review, distribute or duplicate any portion of this email.