

**OPEN MEETING MINUTES**

Name of Governmental Body: Governor’s Autism Council			Attending: Council Members: Christina Krasovich Daysi Jimenez Rebecca Thompson Robert Johnston Rose Cutting Jennifer Maskel  Absent: Alejandra Glafira Apreza-King Katy Morgan-Davies Kevin Scholz Kim Bruessel Margaret Fairbanks Vanesa Carmona-Lewis Suzanne Juzwik  State Staff: Isabelle Leventhal Deb Rathermel Daniel Parker David Sorenson Eva Shaw Julia Thoe Zach Bauer Molly Tull Nancy Bills
Date: 8/20/2025	Time Started: 10:04 am	Time Ended: 11:39 am	
Location: Zoom meeting			Presiding Officer:
<b>Minutes</b>			

**Welcome and Introductions, Isabelle Leventhal**

Welcome Daniel Parker – Daniel works in the Department of Public Instruction (DPI) and is here to support Eva Shaw in her presentation. He has a background in special education, has applied to become a council member, and is very interested in how councils work together

**Public Comments**

No comments

**Operational**

- Approval of the meeting minutes from May 21, 2025.
  - No quorum; minutes will need be approved at November meeting.

## Updates from the Wisconsin Department of Health Services (DHS)

### Bureau of Children's Services (BCS)

- Children's Long-Term Support (CLTS) Waiver renewal – Zach Bauer
  - BCS is working on the Children's Long-Term Support (CLTS) Program Waiver renewal and requesting input.
  - CLTS serves children through age 21 with various supports and services
  - A waiver allows us to provide services beyond what Medicaid covers in its state plan
  - Waiver must be renewed every five years
  - Reapplication allows us to make changes to program
  - Centers for Medicare & Medicaid Services (CMS) must approve waiver application
  - Waiver application covers rules for major aspects of CLTS Program
    - Becky Thompson asked if there is an option to no longer require institutional level of care
    - Deb Rathernel said that she's familiar with this idea but at this time Wisconsin is not planning to change the waiver eligibility threshold.
  - BCS will get partner input, then draft.
    - Draft must be submitted July 2026
    - Application must be approved by January 1, 2027
  - Guiding principles:
    - Every child should live their best possible life now and into the future.
    - Children are best served within the context of their family and community.
    - The CLTS Program will create equitable and inclusive access, systems, services, and supports.
  - DHS is identifying possible changes to the waiver that improve the CLTS program in three important ways:
    - Consistency in the CLTS experience.
    - Timely access and coordination of benefits.
    - Program administration and operational efficiency.
  - Input can be sent to [DHSCLTSWaiverRenewal@dhs.wisconsin.gov](mailto:DHSCLTSWaiverRenewal@dhs.wisconsin.gov)
  - A webpage is available at <https://www.dhs.wisconsin.gov/clts/waiver/renewal.htm>
  - Chris Krasovich: In advance of public comment period, are there plans on how to get feedback from actual families?
    - Zach: Yes, there are plans to have three family input sessions in late September.
    - Chris: Can information be shared with council to send to contacts?
    - Answer: Yes.
  - Bob Johnston: We're all hearing about effects of HR 1. Are you hearing anything about funding from federal government?
    - Deb Rathernel: The waiver we're talking about today is not the subject of any current cuts. The state's message about Medicaid overall we encourage members to keep contact information we have on file with Medicaid current, so that when we do have anything to share, we can get the most accurate information to people right away.
  - Deb Rathernel: Share the webpage with your contacts. People can provide feedback today. They don't have to wait until the input sessions to share thoughts.
  - Wisconsin Wayfinder is still in existence, but it's not currently funded to provide the level of outreach in the past.
  - Chris Krasovich: Supports training and consistency of support and service coordinators (SSCs). Families have reported that their experience isn't consistent throughout program. "Feels as though some coordinators are writing the checks themselves" instead of all working together across the program to serve kids' needs.
  - Chris Krasovich: Families don't always know how or when bills are going to show up in cycle for providers and parental payment limit (PPL). Is there a way to make this clearer to parents and more consistent?
  - Daysi Jimenez: Families don't always understand benefit and purpose of CLTS as opposed to straight medical needs. Are we spending enough time upfront explaining program to families? What else can we do to empower families and help them feel like part of the process?

### Bureau of Benefits Policy (BBP), Julia Thoe

- U.S. Department of Health and Human Services (HHS) Office of Inspector General (OIG) audit findings
  - OIG completed an audit of applied behavioral analysis (ABA) services funded by Medicaid
  - Claims audit only (billing and claims, not medical necessity)

- Findings focused on two categories: Improper Payments or Potentially Improper Payments
- Found samples that did not meet documentation requirements
  - Estimated federal share: \$12.3 million
  - Identified causes: Billing requirements for 97155 were unclear or state did not do post-payment review to ensure compliant documentation
- DHS plans to:
  - Conduct a state audit
  - Educate providers on how to properly bill ABA services
- Full report available at <https://oig.hhs.gov/reports/all/2025/wisconsin-made-at-least-185-million-in-improper-fee-for-service-medicaid-payments-for-applied-behavior-analysis-provided-to-children-diagnoses-with-autism/>
- Chris Krasovich: Understanding is that most claims are being entered as they should be. It's not a fraud issue but an education opportunity.
- Becky Thompson: Providers have been preparing for this. It is clear that the code is very poorly named and that there is misunderstanding of code. Appreciates state's response to OIG about how code should be used. DHS, state OIG, and providers have all been working together well on this issue.
- Rose Cutting: There was a story in Minnesota about two large autism service providers being charged with fraud. Need to be aware of this issue to get ahead of stories.
- Julia Thoe: The important thing is that providers need to make sure their documentation is as complete as possible.
- Chris Krasovich: Is there any online information we can point to if people have questions about the audit?
  - Julia Thoe: Will look into whether we can have anything posted to the website.
  - Becky Thompson: Want resource for questions but not something that causes confusion.
  - Rose Cutting: Family stories are helpful for helping people understand need for ABA.
  - Becky: Happy to gather and share stories from volunteers.
- Will provide more information at upcoming council meetings as it is available.

## Presentations/ Council Input

### Department of Public Instruction (DPI) presentation on Special Education, Eva Shaw

- Special education is guided by federal law
  - Medical or clinical diagnosis is not necessary for disability meeting disability category criteria, but when available, provides important information for the IEP team to consider
- IEP teams should consider 6 areas of academic and functional skill:
  - Academic
  - Cognitive Learning
  - Communication
  - Independence and
  - Self-determination
  - Physical and Health
  - Social and Emotional Learning
- Determining special education needs begins by written referral (can be from anyone)
- If the student has a disability **and** requires specially designed instruction, then an IEP is developed.
- Disability categories:
  - Autism
  - Blind and Visually Impaired
  - Deafblind
  - Deaf and Hard of Hearing
  - Emotional Behavioral Disability
  - Intellectual Disability
  - Orthopedic Impairments
  - Other Health Impairment
  - Significant Developmental Disability
  - Speech/Language Impairments
  - Specific Learning Disabilities

- Traumatic Brain Injury
- If the team determines a child has a disability but doesn't need specially designed instruction, they will not develop an IEP. The student might require a 504 plan (accommodation plan) instead.
- State definition of autism: [https://docs.legis.wisconsin.gov/code/admin\\_code/pi/11/36/8](https://docs.legis.wisconsin.gov/code/admin_code/pi/11/36/8)
- Autism Criteria Form (to determine disability)
  - **Both** must be met:
    1. Social Participation
    2. Communication
  - **At least one** must be met:
    1. Developmental Rates and Sequences
    2. Cognition
    3. Sensory Differences
    4. Behavioral Repertoire
- An individualized education program (or IEP):
  - is a written plan for a student with a disability
  - is developed, reviewed, and revised by a team of people, including the student's parent(s),
  - outlines a special education plan for the student.
- Parent resources: <https://dpi.wi.gov/sites/default/files/imce/families-students/intro-se.pdf> and <https://dpi.wi.gov/sites/default/files/imce/sped/pdf/spec-ed-plain-lang-english.pdf>
- Wisconsin DPI: <https://dpi.wi.gov/sped/college-and-career-ready-ieps/learning-resources/5-step-process>; <https://dpi.wi.gov/sped/ccr-ieps/comp-eval>; <https://dpi.wi.gov/sped/program/autism>; <https://dpi.wi.gov/sped/program/neurodiverse-resources>
- Grant resources: <https://sites.google.com/cesa1.k12.wi.us/ese/home> and <https://wspei.org/>
- Daysi Jimenez: Asked about 504 plans happening in the same meetings when an IEP is determined not appropriate.
  - Eva Shaw: A 504 plan isn't an IEP, and some of the same information can be used to determine whether it's needed, it is not all the same information nor is it always the same person in a school who oversees the development. May not always have the right people in the room for an IEP meeting to turn into 504 planning.
  - Daniel Parker: If a student doesn't qualify for a disability under the state rules, they should definitely be looking at a 504 plan. You need to look at the requirements under IDEA **and** 504. Office of Civil Rights handles 504 plans, but DPI does encourage schools to keep 504 in mind for compliance purposes.
- Becky Thompson expressed appreciation that the DPI resources are in Spanish.
  - Daniel Parker: DPI has a page with all their Spanish materials at <https://dpi.wi.gov/sped/spanish-z-index>
- Daniel Parker: Eva has advanced work to provide support and guidance to reduce (and ideally eliminate) use of seclusion and restraints

### Council Member Updates and Discussion

- Chris Krasovich: Is there any reporting on success of Wisconsin Wayfinder so group can advocate for its use?
  - Deb Rathermel: Can track down that information.

### Adjourn

Next meeting: Wednesday, November 19.

**MOTION TO ADJOURN:** Chris Krasovich **SECONDED:** Bob Johnston at 11:39 am.