

United States Senate

WASHINGTON, DC 20510

December 21, 2021

The Honorable Gilbert R. Cisneros Jr.
Under Secretary of Defense, Personnel & Readiness
4000 Defense Pentagon
Washington, DC 20301-4000

Dear Secretary Cisneros:

We write with concern regarding the Defense Health Agency's (DHA) May 1, 2021, policy changes pertaining to services for TRICARE beneficiaries through the Autism Care Demonstration (ACD). We are concerned that those changes have created burdens for military families and may be detrimental to the best course of treatment for some beneficiaries diagnosed with Autism Spectrum Disorder (ASD). Therefore, we are seeking additional information regarding these changes, the steps being taken to support military families with beneficiaries diagnosed with ASD and the intentions of the Department of Defense with respect to the overall ACD.

Shortly after the May 1st changes took effect, our offices began receiving outreach from constituents regarding the adverse effects of these changes for military families with autistic children who receive Applied Behavioral Analysis (ABA) services supported by TRICARE. Children with autism sometimes have a difficult time generalizing skill sets and ABA services often are designed to work within a child's daily life in order to assist the child in development of skill sets in some real world situations. These military families have expressed that their children experience sensory overload in various settings, including school and community-based settings such as playgrounds or medical appointments. Some ASD advocacy groups, such as Autism Speaks, have expressed that ABA standards of care should not be restricted to a specific setting but should be delivered in those settings that maximize treatment outcomes for the individual. Recent policy changes to ACD have curtailed ABA services provided in community and school settings. This has made it challenging for a medical team to establish an impactful care plan for individual treatment consistent with the ASD diagnosis.

ABA therapy is an effective evidence-based treatment for individuals with ASD. ABA is covered by Medicaid, is required to be covered by plans in the Federal Employees Health Benefits Program and is required to be covered by fully insured plans in all 50 states. ABA services should be based on clinical necessity and not be limited by settings or number of sessions provided. It is essential that we understand the impact of the removal of authorization for ABA behavioral technicians in school and community settings. These changes to beneficiary coverage impact the standard of care of services available to support military families.

Therefore, in order to understand the Department's plans with respect to the ACD and the adverse impacts of the recent changes to coverage, we respectfully request a briefing detailing the following:

1. the decision making process behind the May 1, 2021, DHA policy changes, including preparations to mitigate any expected adverse impacts to military families;
2. the feedback received from beneficiaries since the announcement and implementation of the May 1, 2021 DHA policy changes;
3. the steps taken since the implementation of the May 1, 2021 DHA policy changes to address the concerns of and burdens placed on military families participating in the ACD;
4. the specific policy changes that will be implemented in the future, based on the feedback received from beneficiaries following the implementation of the May 1, 2021 policies; and
5. the Department's intentions with respect to the future of the ACD and any other changes in TRICARE coverage of the ACD.

It is paramount that the Department collect more comprehensive outcomes data and beneficiary feedback to gain greater insight and understanding of the target services having the most benefit to military families. Changes to TRICARE coverage of the ACD should be based on independent assessments of efficacy that prioritize the welfare of military families and dependents with autism. It is imperative that military families have consistent access to the highest standards of care.

Thank you for your attention to this matter and your support for military families.

Sincerely,



Jeanne Shaheen
United States Senator



Kirsten Gillibrand
United States Senator

CC: Dr. David J. Smith, Performing the Duties of the Assistant Secretary of Defense for Health Affairs