

State Policy Advocacy Toolkit 2024 Legislative Session

Introduction

The Autism Society of America is the oldest and largest grassroots organization representing approximately 70 affiliates across the country. In 2023, the Autism Society worked with affiliates to introduce and pass state legislation. As we enter the 2024 sessions, we put together this toolkit with model legislation in states that can be replicated in other states on top priorities including increasing wages for direct support professionals, improving home and community-based services (HCBS), increasing mental health supports, reducing the use of restraint and seclusion in schools, increasing employment opportunities, authorizing first responder training, and insurance coverage for dental care. In addition, we provide tips on how to get these bills introduced in your state.

Model Legislation

Direct Support Professionals

- [Nevada SB 511](#): Increases the portion of the reimbursement rate that providers receive that must go toward wages, see section 67. This is done through the budget bill.
- [Illinois SB 2026](#): Mandates a minimum \$4.00 per hour wage increase.
- [Pennsylvania HB 661](#) and [SB 684](#): Mandates an annual review of wages for direct support professionals to ensure that they keep pace with inflation. Does not have budgetary impact.
 - Fee schedule rates should be responsive to market conditions that affect direct support professionals who provide care for individuals with an intellectual disability or Autism.

Home and Community Based Services Waivers

- [Oklahoma HB 4466](#): Appropriates additional funding to end waiting lists and increases provider rates through the state Department of Human Services or relevant Department.
- [Maryland HB 1149](#): Reduce waiting list and build capacity for providers: Reduces all waiting lists 50% and builds provider capacity.

Mental Health for People with Autism

- [Maine HP 639](#): Mandates emergency departments provide respite and crisis support and prioritize crisis placements in residential facilities so that individuals do not stay at the emergency department for more than 24 hours.
- [Indiana SB 1](#): Expands Medicaid reimbursement to include behavioral health clinics and expands mental health services demonstration program, including the 988 mental health hotline number.
- [Pennsylvania HB 849](#): Strengthens and expands mental health services and supports such as mobile crisis units.
- [Delaware HB 160](#): Authorizes the collection of fees on phone bills to ensure local crisis centers can support call volume of 988.

Restraint and Seclusion in Schools

- State Legislation Toolkit: [Toolkit](#) from Brandeis outlines model state legislation.
 - See [Illinois HB 219](#) which bans seclusion and prone restraint.
- [U.S. HR 3470](#): The Federal bill, the Keeping All Students Safe Act can be used as a state model bill. This bill bans seclusion and limits restraint.

Employment for People with Autism

- [Indiana HB 1559](#), [Illinois HB 2466](#), & [Kansas HB 2755](#): Establishes a tax credit for employers who hire individuals with a disability.

- [Virginia HB 1924](#), [South Carolina S 533](#), & [Nevada AB 259](#): Eliminates the option for employers to pay subminimum wages to people with disabilities under 14(c) waivers from the Fair Labor Standards Act.

Access to Higher Education

- [Illinois SB 0099](#): Requires all public institutions of higher-education to accept an IEP or 504 as proof of disability.
 - This law is modeled off the Respond, Innovate, Succeed, and Empower Act or the RISE Act ([U.S. S. 1071](#)).

Criminal Legal

- [Minnesota HF 51](#): Requires Autism training for police led by individuals with Autism.
- [Indiana HB 1171](#): Mandates that EMS Personnel receive Autism training.
- [Kansas SB 287](#): Updates the state's missing adult alert to include autism and other developmental disabilities.
- [Virginia SB 133](#): Allows a court to dismiss or defer a case where the Autism or intellectual and developmental disability had substantial effect on the criminal activity.
- [Virginia SB 1315](#): Allows for the consideration of mental condition and intellectual and developmental disabilities in criminal proceedings.

Medicaid Coverage Expansion

- [Minnesota HF 898](#): Expand the adult dental Medicaid benefit set.
- [Louisiana HB 172](#): Expand Medicaid to cover dental care for individuals with IDD.
- [Louisiana HB 199](#): Establishes the TEFRA option under Medicaid for parents with children with disabilities to access Medicaid regardless of income.

How to Advocate for Model Legislation

- Identify the problem that can be solved through a change in public policy.
- Ensure your state does not already have a similar law passed through some online research.
- If your state does not have a similar law passed, research to see if a similar bill has been proposed.
 - If the bill has been proposed, research the lead legislators and reach out to them if they are still in office.
 - If the leaders of the bill are no longer in office, research which committee has jurisdiction over the bill and reach out to a legislator in that committee now ([Spreadsheet of State's Committees](#)).
- Determine the committee of jurisdiction. Would it be an education committee bill or a health committee bill? Reference this [Spreadsheet](#) to find the link to your State Legislatures committee and reach out to a legislator on that committee.
 - Or reach out to your state legislators (state senators, state representatives, or state delegates) which you can find on our [Action Center](#).
 - Propose the legislation to your state legislators and explain how it would benefit the community. In many states, pre-filing, or preparing bills to be introduced on the first day of the new session, is due in December. It is important to start reaching out between October and November about new legislation.
 - Use personal stories that connect to the policy solution.

Contact Delancy Allred, dallred@autism-society.org, State Policy Coordinator, at the Autism Society of America to help you through every step of the process!