



November 17, 2020

Dear Health Plan Leader,

We are writing to initiate a conversation about the Medically Unlikely Edits (MUEs), or per-patient per-day limits, that your health plan implements for adaptive behavior (applied behavior analysis; ABA) services. By way of introduction we offer the following background information about our involvement with the 2019 Category I and modified Category III CPT® codes for those services.

Development of the code change application (CCA) to modify the 2014 Category III codes for adaptive behavior services and upgrade them to Category I was a collaborative project of the Association of Professional Behavior Analysts (APBA), Association for Behavior Analysis International (ABAI), Behavior Analyst Certification Board (BACB), and Autism Speaks, assisted by CPT consultants. Each of the four organizations designated principal and alternate representatives to serve on the project Steering Committee and invited representatives of small, medium, and large ABA provider agencies as well as payers to participate on what was referred to as the ABA Services Workgroup. Starting in 2015, the Steering Committee solicited and collated input on the Category III CPT® codes from our workgroup and thousands of other providers, consumers, and payers. That process included sending a utilization survey to 31,068 constituents of APBA, ABAI, and the BACB and representatives of nine other stakeholder societies. The signers of this letter represent the majority of the principal authors of the CCA, which was submitted to the American Medical Association (AMA) CPT® Editorial Panel in 2016 for review during its February 2017 meeting. That is, we wrote the descriptors and associated material on the eight codes that the CPT® Editorial Panel approved as Category I (97151 – 97158) and the two modified codes the Panel designated to remain Category III (0362T, 0373T) with input from the Panel and representatives of some stakeholder societies. We also developed the material about the adaptive behavior services codes that appeared in the AMA 2019 CPT® code book and the article in the November 2018 issue of the *CPT® Assistant*, with input from the AMA CPT editorial staff.

Since the AMA published the codes in late August 2018, we have developed and disseminated a code conversion table and suggestions for providers and payers to prepare for implementation of the codes; given multiple webinars and other presentations; and developed and distributed an article providing additional guidance on use of the codes. Recently we formed the ABA Coding Coalition, which comprises 3 of the 4 organizations that were on the former Steering Committee along with the Council of Autism Service Providers (CASP). As is common practice for professional societies, the Coalition provides guidance and resource materials to assist with implementation of the code set. Many resources are available at no cost via our website, www.abacodes.org.

Throughout this process, we have engaged with the Centers for Medicare & Medicaid Services (CMS) and have communicated with the National Correct Coding Initiative (NCCI) about MUEs for the adaptive behavior/ABA CPT® codes. In response to recent requests from our coalition, CMS has informed us that they intend to make some modifications in their January 2021 MUE file, which will be available next month. They include changes in MUEs for the following CPT codes for ABA services:

- Medicare and Medicaid MUEs for 97152 will be increased to 16 units per day
- Medicare and Medicaid MUEs for 97154 will be increased to 18 units per day
- Medicare and Medicaid MUEs for 0362T will be increased to 16 units per day

Although we welcome those changes, they do not reflect all the modifications in MUEs for the code set that we requested based on substantial data from two surveys of providers that we have conducted over the past 4 years. In particular, the **Medicare** MUEs for 97151 and 0373T remain at 8 units and 24 units respectively, while the **Medicaid** MUE for both of those codes is 32 units per patient per day.

Because the vast majority of patients who currently receive ABA services resemble the typical Medicaid population much more closely than Medicare patients, our coalition has repeatedly urged CMS and all payers to utilize the **Medicaid** MUEs in setting per-patient per-day claims processing edits. We reiterated that recommendation in the [model coverage policy](#) for ABA services that we released recently:

Medically Unlikely Edits - Per-Patient Per-Day Service Units Guidelines

It is common for commercial health plans to adopt the CMS Medicare Medically Unlikely Edits (MUEs) for CPT codes when structuring their claims processing systems. For the adaptive behavior services CPT code set, however, Medicaid MUEs are more clinically appropriate because the typical patient population is not Medicare age or eligible. Medicaid MUEs for the CPT codes listed above can be found by entering the code number in the search box labelled “Find in this Dataset” at <https://data.medicaid.gov/Uncategorized/2020-3Q-NCCI-MUE-Edits-Practitioner-Services/qnva-p5jd>

To ensure that your plan’s members have access to appropriate levels of medically necessary adaptive behavior/ABA services, we respectfully request that you incorporate the **Medicaid** MUEs for all the CPT® codes for those services in your policies. We welcome the opportunity to discuss this request or our model coverage policy with you. Please contact our coding consultant Jenna Minton at jenna@proactivestrategies.net if you would like to arrange a conversation.

Sincerely yours,

ABA Coding Coalition:

James Carr, Behavior Analyst Certification Board
Tim Courtney, Council of Autism Service Providers
Bryan Davey, Association of Professional Behavior Analysts

Wayne Fisher, Behavior Analyst Certification Board
Gina Green, Association of Professional Behavior Analysts
Kelly Headrick, Autism Speaks
Lorri Unumb, Council of Autism Service Providers
Judith Ursitti, Autism Speaks
Jenna Minton, Proactive Strategies (CPT Consultant)