



MEDICAL ADVISORY POSITION STATEMENT

PROVISION OF DIRECT ABA SERVICES DURING THE COVID CRISIS

MARCH 28, 2020

In response to the global CoVid 19 Crisis, Governor Gretchen Whitmer issued a Stay at Home Executive Order 2020-21 on March 23, 2020, exempting “essential services and those critical to maintaining basic infrastructure operations”. Over the past few days, the Governor’s office and some state agencies have issued clarifications of “essential services”;

- The Department of Labor and Economic Opportunity’s Director, Jeff Donofrio, clarified with the following statement;

If you're critical to an operation sustaining/protecting life, keep working, if you're not, stay home and help us save lives. This order must be construed broadly to prohibit in-person work that is not necessary to sustain or protect life."

- Additionally, the Senior Deputy Director of Behavioral Health and Developmental Disabilities, Allen Jansen, released clarification of “essential services” on March 25, stating;

Behavioral health services are those ***essential to maintain the individual’s health and safety at home***

Applied Behavioral Analysis (ABA) was listed as an “Essential services for which there must **be a clear determination** of when to deliver a face to face in-person encounter vs a virtual encounter”

Many providers of ABA have chosen to interpret this guidance and clarifications in a manner that we feel places Michigan residents at significant risk of infection/transmission of the CoViD-19 virus and violates the intent of our Governor’s order to Stay at Home. While ABA services are considered medically necessary and the standard of care for children with autism, in the context of the current global crisis, we recognize that “essential” ABA services be reserved for *those cases where the safety of an individual or another, due to severe, challenging and unsafe behavior supersedes or outweighs the risk of infection.* These are exceptional cases, where safety meets the basic criteria of the executive order. Direct, face to face, *ABA for purposes of developmental skill building, delivered by behavioral technicians would NOT meet this basic criteria.*

We are *strongly opposed to the delivery of in home and center-based services at this time.* Placing an already, medically fragile population and their families at risk of infection, even when stringent precautions are implemented, still affords greater risk of transmission than remote options. Many of our ABA providers across the state have made the difficult decision to either cease services altogether or quickly transition to telehealth options. We applaud these agencies, who have chosen to do the right thing, in the face of short- and long-term financial hardship.

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