

# Insurance Resource Center for Autism & Behavioral Health



Eunice Kennedy Shriver Center

Insurance Resource Center for Autism and Behavioral Health

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## Therapy for Down Syndrome

An Act Relative to Applied Behavioral Analysis Therapy is a law requiring insurance coverage for services that support individuals with a single diagnosis of Down syndrome including speech therapy, occupational therapy, physical therapy, and applied behavior analysis (ABA) services.

### What types of policies does this cover?

This law applies only to certain types of health care policies, so it is important to know the type of policy you have. Health plans regulated by the Massachusetts Division of Insurance (including fully insured plans you may have through an employer), [MassHealth](#), and the GIC (the state plan that covers state employees and retirees) are all required to comply with the mandate. Some employers have “self-funded” plans, which are not subject to the law, but instead are regulated under federal law.

### How can I find out if I have coverage for these therapies?

If you have insurance through your employer, ask Human Resources whether your policy is self-funded. If you have a self-funded plan, ask who you should contact to get specific information about the coverage for these therapies.



## What if my employer's self-funded plan won't cover the therapies I need?

You can advocate for expanding coverage of therapies under the employer's self-funded plan. If the employer's self-funded plan will not provide coverage for therapies, there are options for obtaining coverage through insurance available from MassHealth.

## Is MassHealth subject to the Law?

Yes. MassHealth plans are subject to this new law and will now cover treatments, including ABA, for Down syndrome.

- [MassHealth Standard](#) and [MassHealth CommonHealth](#) cover Applied Behavior Analysis therapy for children under age 21, while [MassHealth Family Assistance](#) provides coverage until the child turns 19. Prior authorization is required.
- MassHealth may cover co-pays and deductibles for treatments covered by private insurance.
- MassHealth members can access other services for emotional and behavioral issues through the [Children's Behavioral Health Initiative \(CBHI\)](#).

## Are there age, service, or dollar limitations to the amount of the coverage?

There are no service or dollar limitations to the amount of the coverage. However, MassHealth coverage has age limitations as described above.

## Where do I start?

1. Determine what type of coverage you have. Contact the [Insurance Resource Center](#) if you need immediate assistance understanding your insurance.
2. Talk to your providers to decide which services and supports are right for you. Insurance only covers treatments considered to be "medically necessary." There may be other helpful supports that aren't covered.
3. Find out if your insurance covers the treatment you need. Review your plan summary of benefits or call your insurer for coverage details or questions.
4. If the treatment is covered, determine what your out-of-pocket costs are (deductibles, co-pays, etc.). These can vary a great deal, from zero out-of-pocket costs to thousands of dollars. Note that most policies also have an "out-of-pocket maximum" (OOPM) cost. Once the OOPM cost is met, there are usually no additional co-pays, etc. for the rest of the year.
5. If you have private insurance, and it either doesn't cover the treatments you need or you want assistance with out-of-pocket costs, you may want to consider applying for [MassHealth CommonHealth](#) as secondary insurance.

## Frequently Asked Questions

**Can a person have both private insurance and MassHealth? If so, which plan will be primary?**

Yes. People can have private insurance and MassHealth. Private insurance will always be primary.

**My child has private insurance through my employer and MassHealth as secondary insurance, but my providers have difficulty working with the private insurance company. Can I drop the private insurance and keep only MassHealth for my child?**

No. MassHealth is always the "payer of last resort." A family CANNOT choose to drop their child from private insurance and rely solely on MassHealth.

### Is MassHealth free for all people with disabilities?

No. People with disabilities are usually eligible for MassHealth regardless of income, but they may be charged a premium if the household income is above a certain level.

### Does MassHealth cover co-pays for ABA and other treatments?

Yes, so long as the provider also accepts MassHealth, and the member has behavioral health benefits in their plan.

### Does MassHealth coverage expire?

No. MassHealth periodically reviews the eligibility of covered persons. When MassHealth contacts you for updated information, it is critical that you respond to avoid the termination of MassHealth coverage.

### Are Social Skills Groups covered?

Yes, as long as they are deemed to be “medically necessary.”

### How are educational services affected?

The law does not affect educational services provided under an Individual Family Support Plan (IFSP), Individual Education Plan (IEP), or Individual Service Plan (ISP). Insurers are not required to pay for in-school services. Conversely, schools may not require parents to access private insurance for services that a child is entitled to receive through school. Additional information can be found on the [Administrative Advisory SPED 2012-1 The Autism Insurance Law](#).

*For further information and assistance, please contact the [Insurance Resource Center](#) at 774-455-4056 or email [airc@umassmed.edu](mailto:airc@umassmed.edu).*

The Massachusetts Down Syndrome Congress (MDSC) is a statewide nonprofit organization dedicated to ensuring that individuals with Down syndrome are valued, included, and given the opportunities to lead fulfilling lives in the community. Through advocacy, policy initiatives, and partnerships with state agencies and organizations, the MDSC works to advance the rights and well-being of people with Down syndrome across Massachusetts. Our efforts focus on promoting inclusive education, meaningful employment, accessible healthcare, and full community participation for all.

Reach us at:

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