

**CHAPTER 75-03-39  
AUTISM SERVICES WAIVER**

Section	
75-03-39-01	Definitions
75-03-39-02	Eligibility for Services Under the Medicaid Autism Spectrum Disorder Birth Through <del>Eleven</del> <u>Thirteen</u> Waiver

**SECTION 1:** Section 75-03-39-02 is amended as follows:

**75-03-39-02. Eligibility for services under the Medicaid autism spectrum disorder birth through ~~eleven~~thirteen waiver.**

1. A child is eligible for autism services under the department's Medicaid autism spectrum disorder birth through ~~eleven~~thirteen waiver if the following conditions are met:
  - a. The age of the child is birth through ~~eleven~~thirteen years of age;
  - b. The child has an autism spectrum disorder diagnosis from a qualified professional able to determine diagnosis; and
  - c. An autism spectrum disorder waiver slot is available.
2. Annual redetermination for continued waiver services is required to determine if the child meets the institutional level of care required by the centers for Medicare and Medicaid services.

**History:** Effective July 1, 2014; amended effective April 1, 2018; January 1, 2020.

**General Authority:** NDCC ~~23-01-4150-24.1-26~~

**Law Implemented:** NDCC ~~23-01-4150-24.1-26~~