

- **1997:** DoD Program for Persons with Disabilities (PFPWD) initiated, replacing the DoD Program for the Handicapped (originally created in 1967). \$1000/month limit on services. PFPWD and subsequent iterations of the program (Extended Care Health Option, ECHO) are only for dependents of active-duty personnel.
- **17 Aug 2000:** Under contract with DoD, ECRI issues report [“Comprehensive Programs for the Treatment of Children with Autism”](#)
- **2001:** Applied Behavioral Analysis (ABA) therapy added as a benefit under PFPWD. Model follows industry practice of utilizing “tutors” or aids under supervision of BCBA-certified provider. DoD’s position is ABA is a special education intervention, not medically necessary care.
- **1 Sept 2005:** Extended Care Health Option (ECHO) created in 2002 NDAA put into policy. DHA specifies only certified ABA providers can provide services. \$2500/month limit on [TRICARE Policy Manual, 6010.54-M, Chapter 9, Section 17.1 effective 1 Sept 2005](#). Given the nationwide shortage of providers, this significantly limits those who can receive services.
- **17 Oct 2006:** Military parents advocated for [SEC. 717 of 2007 NDAA](#), requiring Secretary of Defense to “develop a plan to provide services to military dependent children with autism”. In preparing the report, DoD hosts several sensing sessions with an expert panel and a parent panel.
- **11 July 2007:** [Sec 717 Report to Congress](#) submitted to Congress.
- **24 Sep 2007:** TRICARE Management Activity (TMA) issues [Letter to Healthnet](#) stating that ECHO is to cover ABA for children without an autism diagnosis (like Downs syndrome or CP), stating,

“1. Neither the TRICARE Policy Manual (TPM) nor 32 CFR 199.5 requires a diagnosis of Autism to qualify for ABA. In fact, both references are intentionally silent in this regard to allow contractors to make appropriate coverage determinations based on the specifics of each case.

2. Per 32 CFR 199.5, apart from establishing a “qualifying condition” for registration in ECHO, the diagnosis does not necessarily determine the benefits available under ECHO. That is, the ECHO benefits are designed to confirm, arrest, or reduce the severity of the disabling effects of the qualifying condition. In the specific case of ABA, it is a benefit under ECHO in those cases where it is capable of confirming, arresting, or reducing the severity of the disabling effects of a qualifying condition.”

- **10 Dec 2007:** Army Vice Chief of Staff, Gen Cody, endorses inclusion of ABA as a basic TRICARE benefit in [Ltr to Assistant Secretary of Health Affairs](#)
- **17 Jan 2008:** Navy Surgeon General, Adm Robinson, endorses inclusion of ABA as a basic TRICARE benefit in [Ltr to Assistant Secretary of Health Affairs](#)
- **28 Jan 2008:** 2008 NDAA signed into law, implementing [Sec 587, Education and Treatment for Military Dependent Children with Autism](#)
- **13 March 2008,** In response to the Sec 717 Report to Congress, the [DoD Enhanced Access to Autism Services Demonstration](#) starts. Expanded providers to include “tutors”, with significant changes on [15 May 2008](#), and [7 Nov 2008](#). ECHO ABA continues as before, with only BCBA providers providing services.
- **14 Oct 2008:** Military parents advocate for [Sec 732](#) of 2009 NDAA, eliminating \$2,500/month ECHO requirement and replaces with a \$36,000/year cap.
- **25 Nov 2008:** Under contract with DoD, ECRI issues report [“Comprehensive Educational and Behavioral Interventions for the Treatment of Autism Spectrum Disorders.”](#)
- **12 Jan 2009:** Under contract with DoD, ECRI issues report [“Focal Educational and Behavioral Interventions for the Treatment of Autism Spectrum Disorders.”](#)
- **18 Sept 2009:** [Defense Health Board Findings Pertaining to Autism Treatment](#).

- **5 March 2010:** Class action lawsuit filed by Berge Family (retired military family whose son has autism). Goal is making ABA part of the basic medical benefit, allowing military retiree families access to ABA. [Full case file available here.](#)
- **October 19 2010:** Memo issued by TRICARE, [Medical Benefits Determination - Applied Behavior Analysis for the Treatment of Autism Spectrum Disorders](#) (starting on page 15): Key findings *“The reliable evidence reviewed indicates that ABA is an educational intervention and does not meet the definition of medical care”* (page 17-18). [Note, according to DoD, an educational intervention is different than special education]
- **6 Jan 2011:** Under contract with DoD, Ohio State releases, [“Education Services for Military Dependent Children with Autism”](#) fulfilling requirements of Sec 587 of the 2008 NDAA
- **1 April 2011:** HHS issues [“Report on State Services to Individuals with Autism Spectrum Disorders”](#) to Congress. Key finding:

“As of the date of this report’s publication, the only established evidence-based practice available is ABA.”

- **29 July 2011:** In Berge case, plaintiffs file ["It's All About the Money"](#) brief,

“DoD will wrongly categorize a highly effective, albeit costly, cognitive or behavioral therapy for a disease such as autism – or traumatic brain injury – as being unproven simply so DoD does not have to foot the bill....Indeed, DoD’s wrongful denial of Cognitive Rehabilitation Therapy (CRT) to brain-injured military beneficiaries – a therapy similar to ABA therapy to treat a disease similar to autism – has resulted in a wide-ranging, alarming investigation into precisely these practices by DoD.”
- **29 Dec 2011,** [Federal Register Notice](#) stating that the Autism Demonstration Program was going to be made part of ECHO policy for the treatment of ASD.
- **31 Jan 2012:** Congressional Briefing on the Impact of Autism on Military Families
- **26 March 2012:** In a [Florida Medicaid case](#), a federal judge finds ABA is medically necessary to treat children with autism, creating a permanent injunction against the state of Florida. Of note was the technology assessment of ABA by Hayes Inc in this Florida Medicaid case was the same one used by DoD. Hayes is a for-profit health technology assessment company.
- **19 April 2012:** [OPM](#) announces it will make ABA coverage available as part of its basic medical benefit for federal employees, holding,

“The OPM Benefit Review Panel recently evaluated the status of Applied Behavior Analysis (ABA) for children with autism. Previously, ABA was considered to be an educational intervention and not covered under the FEHB Program. The Panel concluded that there is now sufficient evidence to categorize ABA as medical therapy.”

- **21 June 2012,** [Senate Armed Services Subcommittee on Personnel](#) hosts hearing on military families with special needs. The hearing itself is largely a conversation about ABA. From Senator Gillibrand’s office,

“As follow up to the hearing, the Senator delivered to DOD a compilation of recent research that Autism Speaks compiled. The Senator requested DOD to review the research as expeditiously as possible in order to reassess whether ABA services would be covered by Tricare. We will use our oversight authority to maintain vigilance over this issue.”

- **26 July 2012:** Federal judge in Berge case [finds](#),

“In light of the facts before it and the state of the law—the views of the medical community concerning the effectiveness of ABA therapy, Congress’ express purpose for enacting the military health benefits statute, the Supreme Court’s and the District of Columbia Circuit’s jurisprudence requiring that statutes conferring benefits to Armed Service members be construed in favor of the beneficiaries, and the complete lack of evidence that ABA therapy may have harmful side effects—the Agency’s decision to enforce its stringent regulatory standards to withhold ABA therapy coverage under the Basic Program, while exercising its statutorily-granted discretion to extend ABA therapy coverage under ECHO, seems highly suspect. The Court is left to speculate why the Agency chose to create this two-prong regulatory scheme in light of the Agency’s failure to provide a reasoned explanation for it. This deficiency alone is sufficient to render the Agency’s decision to extend ABA therapy coverage to the ECHO program, without also extending coverage to the Basic Program, arbitrary and capricious.”

“the Court will remand this case back to the Agency with instructions that ABA therapy coverage be provided to Basic Program beneficiaries who otherwise qualify for reimbursement and such reimbursement be provided in compliance with the applicable TRICARE guidelines for the expenses incurred by qualified beneficiaries to acquire ABA therapy for their children.”

- **27 July 2012:** TRICARE issues [new policy manual change](#), cutting off previously covered military children without an autism diagnosis (such as Downs Syndrome or Cerebral palsy, with significant behavioral challenges) from ABA therapy, stating:

“TRICARE Management Activity (TMA) coverage decision memorandum of October 19, 2010. The “Medical Benefit Determinations-Applied Behavior Analysis for the Treatment of Autism Spectrum Disorders” determined that ABA is no longer considered special education for TRICARE program purposes and concludes that ABA is considered a part of an integrated set of services and supplies designed to assist in the reduction of the disabling effects of Autism Spectrum Disorder (ASD)”

These military families were given 14 days’ notice, no assistance in finding alternatives and their ABA therapy was terminated. It still isn’t clear how this 19 Oct memo’s findings translated to removing children without an ASD diagnosis from eligibility for ABA under ECHO?

- **10 Aug 2012:** TRICARE issues [new policy manual change](#) responding to the judge’s findings.
- **6 Sep 2012:** TRICARE Management Activity states military children without an ASD diagnosis

“Approval of Applied Behavioral Analysis for diagnoses other than Autism Spectrum Disorder (ASD) was in conflict with established fiscal law and TRICARE regulations.”

[Email traffic from Rep. Cathy McMorris-Rodgers.](#)

- **7 Sept 2012:** Regarding children without an ASD diagnosis, long-time advocate for military families, Lt Col Scott Campbell notes,

“individuals were eligible for ABA therapy under "Significant Physical Disabilities" at Section 2.3 by having problems with unaided performance of at least one of the following major life activities...”

[Full email available here](#)

- **2 Jan 2013: 2013 NDAA passed into law:** Congress creates a one-year TRICARE ABA Pilot Program ([Sec 705](#)), noting in the conference report,

“The House bill contained a provision (sec. 704) that would authorize behavioral health treatment, including applied behavior analysis therapy, for autism spectrum disorders when prescribed by a physician to be covered under the basic TRICARE program for certain beneficiaries.

The Senate amendment contained a provision (sec. 705) that would authorize behavioral health treatment, including applied behavior analysis therapy, for all developmental disabilities as defined by section 15002(8) of title 42, United States Code, including autism spectrum disorders, when prescribed by a physician to be covered under the basic TRICARE program for certain beneficiaries.

The Senate recedes with an amendment that would require the Secretary of Defense to conduct a 1-year pilot program to provide for the treatment of autism spectrum disorders, including applied behavior analysis, for all TRICARE beneficiaries covered under the basic program.”

***Note:** How the NDAA conference committee “compromise” occurred between the House and Senate version, both of which mandated coverage of ABA as medically necessary, has never been clear.

- **7 Feb 2013:** [TRICARE Policy Manual Sec 3.18 , Applied Behavioral Analysis](#) issued in response to 2013 NDAA
- **5 June 2013:** Judge Walton, in reconsideration, remands the case back to DoD and removes class certification,

“the Agency determined that ABA therapy could not be covered under the Basic Program regulations. This explanation is deficient for the reasons identified by the Court in its earlier opinion, which remain undisturbed. The Agency must therefore address the errors identified by the Court in its determination that ABA therapy is not a covered benefit under the Basic Program, but it need not address the “inconsistency” of providing coverage under ECHO while denying it under the Basic Program because no inconsistency, in fact, exists.

Accordingly, the Court erred in ruling that the Agency’s “failure to provide a reasoned explanation” for providing coverage for ABA therapy under the ECHO Program while simultaneously denying it under the Basic Program was arbitrary and capricious.” ...and...

“Accordingly, the Defendants’ Motion to Amend Judgment must be granted. The injunction previously issued by this Court is therefore vacated, the matter is remanded to the Agency for further action consistent with this Court’s prior opinion, and the reasoning of the Court’s prior opinion is amended as described in this opinion.”

- **25 June 2013:** Significant updates announced to the [new Pilot Program](#) , the [Autism Demonstration for Active Duty Families](#), and the [ABA Pilot for Non-Active Duty Families](#), to go into effect on 25 July 2013. At this point in time, there are now 3 different programs covering ABA.

- **Related:**

- **2 July 2013:** Providers and families respond, [Navigation Behavior Consulting by Megan Miller](#) (ABA provider and military spouse)
- **16 Jul 2013:** [Tricare's New Autism Policy Raises Concerns](#)
- **16 Jul 2013:** [Where is the 'Care' in 'Tricare?'](#)
- **16 July:** [Tricare Going AWOL on Military Autism Families?](#)
- **17 July 2013:** [Senator Warner Ltr](#) to ASD Woodson

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- **17 July 2013:** [APBA Ltr to ASD Woodson](#)
- **18 July 2013:** [DHA Ltr to Contractors](#) confirms impact to AD military children
- **19 July 2013:** [BACB Response to Sec Woodson](#)
- **19 July 2013:** [Navigation Behavior Consulting response](#)
- **20 July 2013:** Megan Miller responds on You Tube, providing a synopsis of changes and asks: “if they are willing to lie about this, what else are they lying about?”.
- **24 July 2013:** TRICARE hosts a teleconference call with providers.
- **24 July 2013:** Megan Miller provides [You Tube](#) update.
- **5 Aug 2013:** [ASD Woodson](#) testifies to DoD Military Family Readiness Council after 80+ families submit letters regarding ABA. In his comments, he states (paraphrasing) that parents shouldn't be reading the TRICARE policies but should wait until they go into effect.
- **29 July 2013:** [American Academy of Pediatrics \(AAP\)](#) publishes new recommendations for defining pediatric medical necessity, stating,

“Hence, the pediatric definition of medical necessity should be as follows: health care interventions that are evidence based, evidence informed, or based on consensus advisory opinion and that are recommended by recognized health care professionals, such as the AAP, to promote optimal growth and development in a child and to prevent, detect, diagnose, treat, ameliorate, or palliate the effects of physical, genetic, congenital, developmental, behavioral, or mental conditions, injuries, or disabilities.”

- **27 March 2014:** In response to Sec 735 of the 2013 NDAA, the [TRICARE For Kids Coalition](#), led by [AAP](#), the [Children's Hospital Association](#), [NMFA](#), [MOAA](#), [Autism Speaks](#), the [Military Special Needs Network](#) and others provide significant [feedback](#) to DoD. From the AAP's input,

“AAP recommends that DoD also review TRICARE's definition and utilization of medical necessity to determine what services to finance. Many times insurers—both private and public—determine that a particular service does not meet their definition of medical necessity and will therefore deny coverage for that service and refuse to pay providers for the service.”

- **14 June 2014:** TRICARE Announces all ABA will be provided under one demonstration project, consolidating all ABA programs under one uniform program [Federal Register Notice](#)
- **19 Sept 2014:** [TRICARE Operations Manual Chapter 18, Section 18](#)
- **8 Oct 2014 at 5:48 pm:** [Pentagon to cut autism healthcare payments in half](#) and
- **8 Oct 2014 at 7:15 pm:** [Pentagon to delay autism spending cuts](#)
- **3 Dec 2014:** [Autism Roundtable](#) held at Pentagon with Providers
- **29 May 2015:** [Federal Register notice](#) of new provisions:
 - Align ABA cost shares with other outpatient services under the TRICARE Basic Program.
 - All cost shares under the program will accrue to the annual catastrophic cap.
 - ABA reimbursement rates will be based on “Geographic Practice Cost Indices” and future changes will not exceed 15% each year.
- **25 Nov 2015:** [Kennel Report](#) released discussing provider rates
- **5 Feb 2016:** [Military spouses say needs for children with autism unmet](#)
- **12 Jan 2016:** [RAND Report on ABA rates](#) released
- **19 Jan 2016:** [Service Delivery Experience and Intervention Needs of Military Families with Children with ASD](#) published
- **12 Feb 2016:** [Military Spouses Caring for a Child with Autism: Exploring Risk and Protective Factors](#)

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- **23 Feb 2016:** [TRICARE For Kids Coalition](#) and others provide feedback
- **8 March 2016:** [Senators Ltr to Sec Carter](#)
- **9 March 2016:** [House Autism Caucus Ltr to Sec Carter](#)
- **15 Mar 2016:** Rep. [Smith, Co-chair of the Autism Caucus, Calls on DoD to Reverse Cuts in Autism Reimbursements](#)
- **29 Sept 2016:** New changes to [Autism Care Demonstration](#)
- **30 Nov 2016:** [Military developmental pediatricians](#) push back against changes.
- **21 Dec 2016:** [Survey of Military Parents of Children Diagnosed With Autism Spectrum Disorder](#) starts and is active today (Contractor Ipsos, DoD Report Control System #DD-HA(A) 2598):

“Designed to evaluate the usage of health care services and the effectiveness of the Autism Care Demonstration (ACD) by reaching out to the parents of children with autism spectrum disorder in the MHS.”

- **23 Dec 2016:** 2017 NDAA directs no changes to rates for ABA providers
- **10 Jan 2017:** [MILITARY AUTISM FAMILIES FEAR LOSS OF SERVICES AMIDST NEW TRICARE POLICIES](#) blog post by Mandy Farmer
- **18 January 2017,** [Brief by Karen Driscoll](#) on new requirements
- **3 March 2017:** [ABA Roundtable](#)
- **10 March 2017:** DoD IG releases [report](#) detailing improper payments made to ABA providers.
- **5 May 2017:** DHA officially rescinded the [diagnostic and IQ testing requirements for the Autism Care Demonstration.](#)
- **18 Dec 2017:** Defense Health Board issues [report](#) concerning pediatric healthcare, including a chapter on autism.
- **5 Dec 2019:** In a [House Armed Services Subcommittee on Military Personnel hearing](#), Rep. Gallego asks the following question to Lt Gen Place:

“I appreciate the Department’s submission of the annual and quarterly reports on the DOD Comprehensive Autism Care Demonstration (ACD). I understand that there are some questions about the metrics used in the 2018 ACD annual report to Congress and the two most recent 2019 quarterly reports and whether those metrics are being appropriately applied to determine the effectiveness of health outcomes under the ACD program. DOD seems to acknowledge the shortcomings of the Pervasive Developmental Disabilities Behavior Inventory (PDDBI) in the reports, yet it relies on that flawed data to draw conclusions about the effectiveness of the ACD in these recent reports to Congress. I also understand that some believe that the way in which the Department is applying the PDDBI is also inaccurate, particularly for purposes of determining effectiveness of the ACD.

Are there other measures of effectiveness that do not have the flaws that the Department acknowledges the PDDBI has that can be used for purposes of measuring the ACD? What are those other measures of autism treatment effectiveness? Might those measurements be used in future reports to Congress?” See link for Lt Gen Place’s response (page 111/115)

- **March 2021:** DHA announces significant changes to Autism Care Demonstration, to be implemented in May of 2021.
- **Related News Coverage**
 - [DoD’s conclusions flawed about military children’s progress with autism therapy](#)
 - [Critical Autism Services for Military Families in Jeopardy](#) Dr. Ira Cohen Podcast:

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'DHA is cooking the books'

- [Changes Made to the Tricare Autism Care Demonstration](#)
- [ABA Therapy – A Military Mother’s Lifeline \(by Space Force spouse\)](#)
- [A devastating blow': Military families struggle with insurance changes for people with autism](#)
- [Recent Tricare changes affect military children with autism](#)
- ['A new low': TRICARE cuts services for children with autism, concerning military families](#)
- [Autism Speaks urges Department of Defense to expand, not restrict, services for military children](#)
- [Autism services for Texas military families could be cut under DoD](#)
- [A Defense Health Agency decision results in cuts to needed autism services for military families](#)
- ['A disgrace': Military families feel betrayed after insurance changes affect children with autism](#)
- **9 April 2021:** [Ltr to Lt Gen Place from EFMP Coalition](#), head of DHA, on recently announced changes to Autism Card Demonstration (ACD) DHA, by [Exceptional Families Of The Military](#)
- **19 May 2021:** [Lt Gen Place response](#) to 9 April Letter
- **24 June 2021:** [Letter to Lt Gen Place](#), response to 19 May Letter, by EFM
- **2 July 2021:** [Coalition Letter](#) to Lt Gen Place
- **8 July 2021:** [American Academy of Pediatrics Letter](#) to Lt Gen Place
- **9 July 2021:** [National Coalition for Access to Autism Services Letter](#) to HASC and SASC
- **13 July 2021:** [ABA Coding Coalition Letter](#) to Lt Gen Place
- **13 Sept 2021:** [Meeting Notes](#) with DHA, highlighted by, primary author of the PDDBI

“Dr. Cohen concluded that the DHA reports to Congress reflected a lack of understanding of the PDDBI, and that selective elimination of a large portion of cases led to biased data and data analyses”

- **1 Oct 2021:** [Letter from Rep. Posey](#) to Sec of Defense Austin
- **6 Oct 2021:** [Meeting Notes](#) with Humana, including meeting notes from 28 Sept DHA meeting
- **22 Oct 2021:** PAR, the company that publishes the Parenting Stress Index TRICARE is using, writes a [letter](#), stating

“PAR objects to providing the data unless individuals who have access to such information are also licensed and trained in the use of psychological instruments. Such data and information, in the hands of untrained professionals, is not useful or relevant, and exposes PAR intellectual property to inappropriate disclosure.”

- **27 Dec 2021:** 2022 NDAA is signed by President Biden, which includes [Sec 738](#), directing the Secretary of Defense to enter into an agreement with the National Academies of Science, Engineering and Math (NASEM), to conduct an independent assessment of DoD’s Autism Care Demonstration project.
- **10 Jan 2022:** Exceptional Families of the Military published their [2021 Autism Care Demonstration Survey](#)