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FOR IMMEDIATE RELEASE

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MAJOR VICTORY FOR CHILDREN ON FLORIDA MEDICAID SUFFERING FROM AUTISM DISORDERS

At 10:50 a.m. March 26, 2012, U.S. District Judge Joan Lenard ordered the State of Florida to immediately begin providing coverage of Applied Behavior Analysis (ABA) for children on Florida Medicaid diagnosed with an autism spectrum disorder. In issuing an initial oral order from the bench late Friday afternoon, Judge Lenard referred to this as “one of the most important cases I have ever heard.” The case was brought on behalf of three autistic Miami children, clients of Monica Vignes-Pitan, Advocacy Director of Legal Services of Greater Miami (LSGMI). According to lead counsel Miriam Harmatz of Florida Legal Services (FLS), “This case will have national impact because, while most states mandate that private insurance companies must cover ABA, most state Medicaid programs do not provide coverage.” The children’s treating physicians explained the extreme disparity between the prognosis of privately insured children with autism, who receive ABA, and those on Medicaid, who do not. Ms. Harmatz, who is one of the state’s leading Medicaid advocates, explained that “Judge Lenard’s order will eliminate this tragic disparity.”

The Florida Medicaid Agency’s main defense was that ABA was “experimental” and unproven. Betsy Havens, an Equal Justice Works fellow at FLS with expertise in public health, presented the Plaintiffs’ rebuttal expert who cited to an abundance of high quality scientific literature and “laid to rest the outrageous claim that ABA is experimental.” Ms. Vignes-Pitan, who has worked closely with the three children and their families for over a year, said that “this order will save thousands of other Florida children from being unnecessarily and permanently disabled.” Neil Kodsi, attorney from Alderman Kodsi, provided trial expertise on the case.

“The Medicaid population of children diagnosed with autism and/or autism spectrum disorder are deserving and will be given ABA treatment in the State of Florida,” said U.S. Southern District Court Judge Lenard.

For more information about the case or Judge Lenard’s order (also attached to this email), please contact attorneys Miriam Harmatz at (786) 853-9385; Monica Vignes-Pitan (786) 280-8835; or Betsy Havens (305) 766-4389. Please contact Ms. Vignes-Pitan in order to reach the Plaintiffs’ mothers, who are willing to speak with press.