

Disability Bulletin

Developments in Disability Law & Policy

1) Reimbursement for diagnosis and therapy of Persons with Autism Spectrum Disorder

The Ministry for Health and Family Welfare recognizes the crucial role of therapy in enabling Persons with Disabilities and released [guidelines](#) on May 1, 2023. Under this Guidelines, the Central Government Health Scheme now offers reimbursement to persons with Autism Spectrum Disorder for diagnosis and therapy.

The costs associated with autism diagnosis procedure can be reimbursed if it is availed with public or CGHS empanelled hospital upon the prescription by any of the following:

- a) Pediatrician
- b) Developmental Pediatrician
- c) Pediatric Neurologist
- d) Psychologist
- e) Child and Adolescent Psychologist

A) Reimbursement for therapy of Persons with Autism Spectrum Disorder

Individuals diagnosed with Autism Spectrum Disorder as per protocol and prescribed therapy are eligible for reimbursement for two or more of following therapies:

- a) Occupational therapy
- b) Applied behaviour analysis based behavioral (ABA) therapy
- c) Speech Therapy
- d) Special education

For reimbursement:

- Individuals need to undergo a detailed assessment by the therapist.
- Individuals should receive therapy from qualified (as per the Guidelines) and registered therapist.
- Individualized therapy plan from therapist consisting of:
 - i) short-term goals, long term goals and home based plan
 - ii) schedule and frequency of sessions required to achieve the short term and long term goals
 - iii) Therapy record for each session
- Session notes from therapist recorded in the format prescribed.

B) Relevant information for therapists under the Guidelines

Fees:

The fees charged for any of the above therapies should not be more than 400 INR per session.

Duration:

atleast 40 min per session

Frequency:

frequency of therapy sessions have been tabulated in Clause VI of the Guidelines

2) Relaxation in working hours for parents of Children with Disabilities by Kerala Government

The Kerala Government in a state cabinet meeting held on May 10, 2023 [decided](#) to relax working hours for the Kerala Government employees who have children with autistic disorders, cerebral palsy, multiple disabilities, and mental retardation. The relaxation in working hours is capped at 16 hours per month. However this is available only for employees who have children with benchmark disabilities (i.e more than 40% of these disabilities).

The Kerala government has acknowledged the caregiving requirements on parents of children with disabilities as early as 2011 when they [granted](#) government employees who have children with physical/mental disabilities 15 days of special leave per calendar year. The Government's Order in 2011 clarifies that this special leave can be combined with other types of leave the employee is eligible for and can be availed at one go or in parts. However, if both the parents are government employees, only one parent can avail this special leave. In such cases, the employee who is availing the special leave must produce a declaration countersigned by the competent authority stating that the other spouse has not availed the leave.

3) Rights of Persons with Disabilities Rules, 2016 - Amended to improve Technology Accessibility

- The Rules were amended vide a [Circular](#) dated May 10 2023 to improve accessibility of Information Communication and Technology(ICT).
- IS 17802 should be followed by:
 - i) Public facilities and services based on websites/apps/ICT
 - ii) Electronic goods and equipment for everyday use
 - iii) ICT based products and accessories for general use of PwDs
 - iv) Other ICT -based products and services
- The Government has also released a [press release](#) stating that the other aspects of accessibility are currently drafted and awaiting comments.