



Florida Association for Behavior Analysis Statement on Fraud, Waste, and Abuse in ABA Services in Florida

Recent national reporting and federal oversight have raised serious concerns about fraud, waste, and abuse (FWA) in Medicaid-funded Applied Behavior Analysis (ABA) services. Florida has been identified as one of several states subject to heightened federal scrutiny. Concurrently, AHCA's Medicaid Program Integrity (MPI) office has taken significant enforcement action, including terminating providers.

FWA concerns in ABA fall into three categories that have different origins and require distinct solutions:

- *Criminal Fraud*: Intentional misconduct (e.g., billing for services not rendered, falsifying records, kickback arrangements).
- *Clinical Infrastructure Deficiencies*: Structural gaps in documentation, supervision, and administrative compliance that expose vulnerabilities but do not inherently indicate fraud.
- *Overutilization*: Provision of services beyond clinically indicated levels, which may reflect poor clinical judgment rather than criminal intent.

Historical Context: Florida has a well-documented history of Medicaid and Medicare fraud. Widespread fraud in ABA was first reported in 2017. By May 2018, AHCA's Bureau of Medicaid Program Integrity (MPI) had identified Miami-Dade County as a high-risk area and imposed a moratorium on new ABA Medicaid enrollment in Miami-Dade and Broward Counties citing suspected fraud activities (i.e., billing for more than 24 hours of services per day, falsified provider credentials). The pattern documented in sections A. and B. below is unambiguously one of criminal fraud, not clinical deficiency or overutilization.

A. Exploitation of the RBT Credential: A hallmark of fraud in Florida has been the deliberate weaponization of the Registered Behavior Technician (RBT) credential. Fraudsters specifically recruited individuals to obtain credentials not to deliver clinical services, but to enable fraudulent billing under a credentialed identity. This exploitation was so pervasive that it threatened to jeopardize the integrity of the RBT examination itself. In August 2023, the BACB discontinued remote testing for the RBT examination due to examination-security breaches and widespread theft of examination content by Florida candidates. As of September 1, 2023, all candidates must test in person at an authorized center. Ending remote access for a national certification exam reflects the scale of coordinated fraud traceable in significant part to Florida.

B. Anomalous Florida Data: Credentialing and provider data reveal patterns that cannot be explained by population size or service demand alone. Public BACB data show the following:

- Florida has substantially more RBTs than comparably populated states, well beyond what autism prevalence or service demand would predict.
- Florida leads all states in RBT, BCBA, and BCaBA applications (personal communication, BACB, March 2026).
- Florida has a disproportionately high number of BACB disciplinary actions relative to states with comparable or larger ABA workforces.
- South Florida counties show anomalous concentrations of Medicaid provider corporations (a pattern consistent with shell company activity and fraudulent enrollment).

Collectively, these data confirm that Florida is experiencing a pattern of organized, intentional fraud, not merely elevated rates of service overutilization. Conflating overutilization with criminal fraud may produce policy responses that burden compliant providers while failing to stop deliberate wrongdoing. Enforcement actions should be carefully targeted. Overbroad enforcement threatens access to medically necessary services for the children and families who depend on them ultimately reducing care for vulnerable Floridians.

FABA's Commitment to Protecting the Profession and a Call to Action

For years, FABA has been actively engaged with AHCA and other regulatory stakeholders to strengthen program integrity and advance practice standards. These actions include recent work to improve AHCA's billing systems to link rendering providers to supervising clinicians for more targeted oversight. FABA calls on the appropriate stakeholders to:

- Prioritize criminal enforcement through MPI, Medicaid Fraud Control Units, and law enforcement against fraudsters;
- Develop audit and oversight processes informed by clinical best practice, not solely billing anomalies;
- Pursue clinical infrastructure improvements (i.e., licensure, credentialing, documentation standards) as a complement to, not a substitute for, criminal accountability; and
- Protect access to medically necessary ABA services by ensuring enforcement targets wrongdoers, not the field at large.

FABA's mission is to protect and advance the practice of ABA in Florida. Central to that mission is ensuring that families who depend on medically necessary ABA services are not harmed by enforcement actions that fail to distinguish criminal conduct from legitimate clinical practice. Providers delivering ethical, evidence-based care must not bear the consequences of bad actors. FABA stands ready to work with AHCA, the legislature, and all regulatory partners to root out fraud, strengthen program integrity, and preserve access to care for Florida's children and families.