

INITIAL STATEMENT OF REASONS

Description of the Public Problem, Administrative Requirement or Other Condition or Circumstance the Regulation is Intended to Address

The Department of Developmental Services (Department) proposes to amend its current vendor numbers and service codes to include an Associate Behavior Analyst and amend the supervision provisions for a Behavior Management Assistant.

The category of Behavior Analyst became effective on June 2, 2001. Since that time, the Department has become aware that the same national certification Board that certifies Behavior Analysts also certifies Associate Behavior Analysts. Many persons with developmental disabilities have a need for, but limited or no access to, behavior analysis services. The Department proposes to add the category of Associate Behavior Analyst to assist in filling the unmet need of consumers for behavior analysis services.

In developing these amendments, the Department consulted with or received input from behavioral providers, regional centers, behavior analyst vendors, the national Behavior Analysts Certification Board and the California Association for Behavior Analysis.

PURPOSE AND NECESSITY

Title 17. California Code of Regulations **Chapter 3. Community Services** **Subchapter 2. Vendorization**

54342 - Types of Services.

54342(a)(8)

Specific Purpose:

This section is being adopted to add Associate Behavior Analyst to vendor numbers and service codes.

Rationale for Necessity:

The adoption of this section is necessary to establish a vendor category of Associate Behavior Analyst in order to assist in filling the unmet needs of consumers who need the services of an Associate Behavior Analyst.

54342(a)(9) - (87)

Specific Purpose:

This section renumbers former (a)(8) - (86) to (a)(9) - (87).

Rationale for Necessity:

The addition of new 54342(a)(8) necessitates the renumbering of subsequent sections.

54342(a)(12)

Specific Purpose:

This section is being amended to specify the conditions under which a Behavior Management Assistant may work under the direct supervision of a Behavior Analyst or a Behavior Management consultant.

Rationale for Necessity:

The amendment of this subsection is necessary to expand on the minimum requirements needed for a Behavior Management Assistant to work under the supervision of a Behavior Analyst or a Behavior Management Consultant.

54342(a)(13)(A)1.

Specific Purpose:

This amendment requires Behavior Management Consultants to acquire minimum education and experience in behavior analysis prior to being vendored. This amendment also establishes a timeframe for Behavior Management Consultants to come into compliance with this requirement.

Rationale for Necessity:

Prior to this amendment, the only requirement for Behavior Management Consultants was a valid license. This amendment is necessary in order to establish minimum education and experience requirements for the Behavior Management Consultant in order to be vendored, and to make this classification more consistent with the requirements for a Behavior Management Assistant, who is typically supervised by a Behavior Management Consultant.

54342(a)(13)(A)4.

Specific Purpose:

This amendment eliminates the phrase “and child counselor” and replaces it with “therapist.”

Rationale for Necessity:

This amendment is necessary in order to make the professional title of Licensed Marriage and Family Therapist consistent with the language in Business and Professions Code Section 4980.

57332(a)(4)

Specific Purpose:

This amendment adds Associate Behavior Analyst - Service Code 613 to the list of maximum rates of reimbursement. This amendment also renumbers the remaining subsections.

Rationale for Necessity:

This amendment is necessary to include this category in the list of other vendors reimbursed at the usual and customary rate or a negotiated rate. The inclusion of this new service code necessitated the renumbering of subsequent subsections.

Authority: Sections 4405 and 4648(a), Welfare and Institutions Code; and Section 11152, Government Code. Reference: Sections 4631, 4648(a) and 4691, Welfare and Institutions Code.