

**OREGON DEPARTMENT OF HUMAN SERVICES
OFFICE OF DEVELOPMENTAL DISABILITIES SERVICES
OREGON ADMINISTRATIVE RULES**

**CHAPTER 411
DIVISION 303**

BEHAVIOR INTERVENTION CURRICULUM

EFFECTIVE JULY 1, 2022

411-303-0000 Statement of Purpose

(Adopted 07/01/2022)

The rules in OAR chapter 411, division 303 prescribe standards, responsibilities, and procedures related to the ODDS-approved behavior intervention curriculum.

Stat. Auth.: ORS 409.050, 418.529, 427.104, 430.662

Stats. Implemented: ORS 409.010, 418.529, 427.007, 427.104, 430.610, 430.662

411-303-0010 Definitions and Acronyms

(Adopted 07/01/2022)

In addition to the following definitions, OAR 411-317-0000 includes general definitions for words and terms frequently used in OAR chapter 411, division 303. If a word or term is defined differently in OAR 411-317-0000, the definition in this rule applies.

(1) "Authorized Entity" means an organization approved by ODDS to certify instructors in an ODDS-approved behavior intervention curriculum.

(2) "Instructor" means a person certified by the authorized entity to teach an ODDS-approved behavior intervention curriculum to providers and designated persons supporting individuals with intellectual and developmental disabilities.

(3) "ODDS" means "Office of Developmental Disabilities Services".

(4) "These Rules" mean the rules in OAR chapter 411, division 303.

Stat. Auth.: ORS 409.050, 418.529, 427.104, 430.662

Stats. Implemented: ORS 409.010, 418.529, 427.007, 427.104, 430.610, 430.662

411-303-0020 Authorized Entity Standards

(Adopted 07/01/2022)

An authorized entity must have formal approval from ODDS to deliver an ODDS-approved behavior intervention curriculum to instructors, providers, and designated persons.

Stat. Auth.: ORS 409.050, 418.529, 427.104, 430.662

Stats. Implemented: ORS 409.010, 418.529, 427.007, 427.104, 430.610, 430.662

411-303-0030 Curriculum Standards

(Adopted 07/01/2022)

(1) An ODDS-approved behavior intervention curriculum must meet all of the following standards:

- (a) Be based in positive behavior support practices.
- (b) Require the teaching of techniques for nonviolent crisis intervention that do not require physical restraint.
- (c) Focus on de-escalation and trauma-informed behavioral support.
- (d) Offer options for certification in skills that do not include the use of restraint.
- (e) Ensure that any physical intervention skills taught are trauma-informed, culturally-responsive, age-appropriate, and developmentally appropriate.
- (f) Ensure that any physical intervention skills account for the individual's size and the provider or designated person's size.

- (g) Include training to reduce the risk of physical and emotional harm.
- (h) Be consistent with all state and federal laws.
- (i) Include training to identify the physical, psychological, and emotional risks related to the use of restraint.
- (j) Ensure fidelity of training through the publication of consistent, regularly-updated, training materials and resources for certified instructors, providers, and designated persons.
- (k) Include requirements for training and certification of instructors, providers, and designated persons.
- (l) Require regular, ongoing support to certified instructors, including quality control, monitoring of outcomes, and provision of information regarding networks for professional collaboration and support.
- (m) Ensure individual rights described in OAR chapter 411, division 318 are upheld.

(2) An ODDS-approved behavior intervention curriculum must prohibit behavior intervention techniques that include the following characteristics:

- (a) Abusive.
- (b) Aversive.
- (c) Coercive.
- (d) For convenience.
- (e) Disciplinary.
- (f) Demeaning.
- (g) Pain compliance.
- (h) Punishment.

(i) Retaliatory.

Stat. Auth.: ORS 409.050, 418.529, 427.104, 430.662

Stats. Implemented: ORS 409.010, 418.529, 427.007, 427.104, 430.610, 430.662

411-303-0040 Behavior Intervention Instructor Standards

(Adopted 07/01/2022)

(1) An instructor for an ODDS-approved behavior intervention curriculum must meet all of the following standards:

(a) Be certified by the authorized entity to conduct the type of training the instructor is providing.

(b) Be recertified by the authorized entity at least once every two years.

(c) Demonstrate written and physical competency before receiving certification or recertification.

(d) Complete a minimum of 26 hours of initial education with a focus on de-escalation, nonviolent intervention, and methods consistent with ODDS rules for the use of physical restraint.

(e) Complete a minimum of eight hours of continuing education every two years.

(2) An instructor who trains providers working in children's 24-hour residential, host home, and foster care services must complete four hours of continuing education related to working with children every two years in addition to the requirements in section (1) of this rule.

Stat. Auth.: ORS 409.050, 418.529, 427.104, 430.662

Stats. Implemented: ORS 409.010, 418.529, 427.007, 427.104, 430.610, 430.662

411-303-0050 Behavior Intervention Certification Standards

(Adopted 07/01/2022)

(1) To be certified in an ODDS-approved behavior intervention curriculum, a provider or designated person must:

(a) Complete an approved training program delivered by an instructor; and

(b) Demonstrate physical and written competencies as appropriate to the settings and individuals supported.

(2) Certifications issued by an ODDS-approved behavior intervention curriculum instructor:

(a) Must be personal to the provider or designated person certified by the instructor;

(b) Must be issued to the provider or designated person certified as described in section (1) of this rule;

(c) May be valid for no more than two years without recertification;

(d) Must require annual continuing education to maintain;

(e) Must require additional training to renew the certification;

(f) Must include certification levels that are portable between employers; and

(g) Must include:

(A) The dates during which the certification is current;

(B) The types of restraint in which the person is certified, if any;

(C) The types of training the person is certified to conduct, if any;

(D) Any special endorsements;

(E) The level of training; and

(F) The name of the certified instructor who conducted the training and administered the assessment of proficiency.

(3) A provider or designated person certified in an ODDS-approved behavior intervention curriculum under these rules must maintain the documentation of the certification and any records of annual continuing education and make that documentation available to ODDS upon request.

Stat. Auth.: ORS 409.050, 418.529, 427.104, 430.662

Stats. Implemented: ORS 409.010, 418.529, 427.007, 427.104, 430.610, 430.662