

ODDS Guide to Professional Behavior Services

**Developmental Disabilities
Worker's Guide**

**Office of Developmental
Disabilities Services**

Topic:	Guide to Professional Behavior Services
Date Issued/Updated:	5/XX/2022

Description: This Guide supplements information available in applicable Oregon Administrative Rules (OAR) chapter 411, divisions 304-Professional Behavior Services and 317-Definitions.

Purpose/Rationale: To assist Service Coordinators, Personal Agents, and Behavior Professionals in understanding, authorizing, invoicing, approving and/or monitoring Professional Behavior Services.

Applicability: Service Coordinators, Personal Agents, and Behavior Professionals.

Summary of changes:

Changes to this Guide, effective July 1, 2022, include:

- Changes related to unbundling Professional Behavior Services from 24-hour residential services in the ISP and in Plan of Care.
- Removing broken links.
- New requirements in children's settings related to Senate Bill 710.
- Updated qualifications in line with July 1, 2022 OAR changes
- Updated definitions in line with July 1, 2022 OAR changes
- Removal of "PPI Reference List" appendix
- Added additional references to ODDS Expenditure Guidelines for up-to-date information on service limits.
- Removed references to variances.

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Chapter 1 Becoming a Behavior Professional

Enrolling as a Behavior Professional starts with the decision to be an independent or agency provider of Professional Behavior Services. Both Agency and Independent Providers of Professional Behavior Services are held to the same requirements, have the same qualifications, and the components of Professional Behavior Services are identical.

Agency	Independent Provider
Must adhere to OAR 411-323, OAR 411-370 and complete the Agency Provider Enrollment Application and Agreement (PEAA).	Must adhere to OAR 411-375 and complete the Independent PEAA.
Certified Medicaid Agencies are subject to the requirements of their certification.	Independent Providers are not subject to ODHS Licensure.
Agencies may have employees.	Independent Providers do not have employees.
Agencies are endorsed to and required to follow OAR 411-304.	Are required to follow OAR 411-304.

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Agency	Independent Provider
Agencies have a provider enrollment agreement with ODDS. Agencies are responsible to ensure that all employees or subcontractors adhere to OAR 411-304. All employees or contractors delivering Professional Behavior Services must meet the education and experience requirements as well as the have a background check and be certified in an ODDS-approved behavior intervention curriculum upon hire or promotion. Any existing employee who is performing the work of a Behavior Professional must meet requirements when the agency goes through their certification or endorsement process.	Independent Providers have a provider enrollment agreement with ODDS.
Agencies must carry insurance as outlined in OAR 411-323	Independent Providers are required to carry Commercial Liability Insurance.

Qualification Requirements for All Settings

Both Agency and Independent Providers of Professional Behavior Services follow the requirements of OAR 411-304 and the components of Professional Behavior Services are identical. Any person who is creating a Temporary Emergency Safety Plan (TESP), Functional Behavior Assessment (FBA), Positive Behavior Support Plan (PBSP) or maintaining the PBSP is doing the work of a Behavior Professional.

Independent Providers

In addition to the requirements in OAR 411-304, Independent Providers of Professional Behavior Services must adhere to OAR 411-375 and complete the Independent PEAA.

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Agency Providers

In addition to the requirements set forth in OAR 411-304, agency providers delivering Professional Behavior Services must adhere to OAR 411-323, be endorsed to OAR 411-304 and complete the agency PEAA.

Supported Living Providers

Supported Living providers may deliver Professional Behavior Services to individuals within their agency without a separate endorsement to OAR 411-304. It is the responsibility of the agency to assure that Professional Behavior Services are only delivered by a qualified Behavior Professional. If the Supported Living agency chooses to deliver Professional Behavior Services to any individual not enrolled in their agency, they must become endorsed to OAR 411-304. When an individual residing within the Supported Living setting requires that their PBSP include another setting, such as employment, the individual may choose to have the Behavior Professional employed by the Supported Living provider update their plan.

Education and Experience Requirements

Quick Guide

Education	Experience
BCBA	1 year of experience providing positive behavior supports.
Master's	1 year of experience providing positive behavior supports.
Bachelor's	2 years of experience providing positive behavior supports.
No Qualifying Degree	6 years of experience delivering Professional Behavior Services gained prior to January 1, 2023.

Additional Qualification Requirements

Every Independent Provider of Professional Behavior Services and all employees of agency providers of Professional Behavior Services working as a Behavior Professional must meet all education and experience requirements, maintain background check, and maintain certification in an ODDS-approved behavior intervention curriculum. Currently Oregon Intervention System (OIS) is the only approved curriculum.

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Background Check

All ODDS providers are subject to background checks.

Certification in an ODDS-Approved Behavior Intervention Curriculum

Every person working as a Behavior Professional must maintain certification in an ODDS-approved behavior intervention curriculum.

Co-Authorship and Oversight

When other agency employees are not qualified as Behavior Professionals, they may collaborate with a qualified Behavior Professional to co-author TESP, FBAs, PBSPs, and provide oversight for the maintenance of a PBSP. Only one Behavior Professional can be authorized or paid through eXPRS. When a Behavior Professional provides oversight and co-authorship, the Behavior Professional is also assuming responsibility that the work and product adhere to OAR 411-304, including that it was reviewed and approved by a Behavior Professional.

Re-enrollment, Re-Certification, Endorsement

Independent Provider

It is the responsibility of the Independent Provider to maintain current certification in an ODDS-Approved Behavior Intervention Curriculum, approved criminal history check and a current PEAA. Upon request, an Independent Provider of Professional Behavior Services must submit the following to ODDS:

- Redacted copies of a TESP, FBA and PBSP and corresponding invoices. If the Behavior Professional has not yet written a TESP, this should be noted in the renewal packet.
- Proof of required continuing education in the field of positive behavior support services, adaptive behaviors, behavior management, or a related topic.
- Certification in an ODDS-approved behavior intervention curriculum.
- An approved criminal history check identifying the Independent Provider as a Behavior Professional.

Agency Provider

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When an agency provider of Professional Behavior Services goes through their certification or endorsement process, ODDS will request the following information for each person performing the duties of a Behavior

Professional including:

- Redacted copies of a TESP, FBA and PBSP and corresponding invoices. If the Behavior Professional has not yet written a TESP, this should be noted in the renewal packet.
- Proof of required continuing education in the field of positive behavior support services, adaptive behaviors, behavior management, or a related topic.
- Certification in an ODDS-approved behavior intervention curriculum.
- An approved criminal history check identifying the agency employee as a Behavior Professional.

Supported Living Provider

When a Supported Living provider who delivers Professional Behavior Services goes through their certification or endorsement process, ODDS will request the following information for each employee performing the duties of a Behavior Professional:

- Redacted copies of a TESP, FBA, and PBSP and corresponding invoices. If the Behavior Professional has not yet written a TESP, this should be noted in the renewal packet.
- Proof of required continuing education in the field of positive behavior support services, adaptive behaviors, behavior management, or a related topic.
- Certification in an ODDS-approved behavior intervention curriculum.
- An approved criminal history check identifying the agency employee as a Behavior Professional.

Finding a Behavior Professional

ODDS maintains a public database of Behavior Professionals located here:

<http://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/PROVIDERS-PARTNERS/Pages/consultants.aspx>.

Begin using the database by choosing the county where the individual resides under the "Select County" dropdown box.

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Next, choose how many Behavior Professionals to be shown on the page at a time from the "Show" dropdown box.

Type a term in the "Search" box to narrow down your search for a Behavior Professional. Type any one of the following into the "search" box: Autism, Dual Diagnosis, Employment, LGBTQQIA+, Limited or Non-Verbal, Multicultural, or Sexually Mal-Adaptive. A search may also be by a Behavior Professional or agency name. Make sure to ask if the Behavior Professional has availability or is there a wait list. The database does not maintain information about provider availability. Please contact the Behavior Professional to identify availability..

Chapter 2 Eligibility

Professional Behavior Services are available for people in all ODDS settings as a K Plan or Family Support service. For individuals receiving Family Support, additional service limitations may apply.

Exhibiting a challenging behavior

The need for Professional Behavior Services might be assessed either through a Functional Needs Assessment or through discussion with the individual and their ISP team. For an individual to receive Professional Behavior Services, the individual must exhibit a challenging behavior.

Functional Alternate Behavior

When a FBA (FBA) does not indicate the need for a functional alternative behavior, then a PBSP is not indicated. Informal guidelines, such as staff intervention guidelines can be developed for Designated Persons to follow. Informal guidelines are not a component of Professional Behavior Services and cannot be invoiced by a Behavior Professional. Informal guidelines may not include any intervention with restraining qualities. The Behavior Professional can be compensated for the FBA even when a PBSP is not indicated.

Chapter 3 The ISP

Known Risks

Identify and Describe Each Challenging Behavior

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In the Known Risks section of the ISP, the SC or PA must document each known challenging behavior exhibited by the individual. The more clearly this is documented the more likely it is that the Behavior Professional can create a specific, measurable, achievable, and realistic plan for addressing the challenging behaviors with a functional alternative behavior.

Identify if the challenging behavior is high risk

Once the challenging behavior(s) is identified in the ISP, the team should discuss if the behavior is high risk. The Risk Assessment Matrix is a conversation tool available to teams to help identify if a challenging behavior is high risk.

Chosen Services

In the Chosen Services section of the ISP, the SC or PA uses the drop-down boxes to describe the correct appropriate service for the individual. In some cases, the SC or PA may have to type in specific information that may not be included in a drop-down list. Until the ISP form is updated, SCs and PAs may use the “Additional Chosen Services” section of the ISP for people residing in adult 24-hour residential settings.

OR 570

“OR 570” should be selected on the ISP form to authorize a TESP, FBA or PBSP. The ISP describes this code as Behavior Consultation, Assessment and Training for DD which matches the explanation codes in eXPRS. The total number of combined hours authorized for a TESP, FBA or PBSP may not exceed limits outlined in the Expenditure Guidelines without an exception from ODDS.

After selecting the correct code for the chosen service, the SC or PA must identify the number of units for that service. The number of units must be based on the individual’s needs and align with the discussion by the ISP team.

The Unit type for OR 570 is “Event(s)” because this service is based on the completion of the document indicating completion of that portion of Professional Behavior Services.

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The frequency for OR 570 is per plan year because an individual may be eligible to receive a TESP, FBA or PBSP once per plan year without an exception granted through ODDS.

The authorized dates should be in accordance with ISP team agreement but cannot exceed the plan year.

The next portion of the ISP asks to list the chosen provider. Sometimes an individual does not have a provider identified during the ISP and will choose one later. This should be noted in this section of the ISP.

For “OR570” the SC or PA should indicate the number of hours expected to be needed to complete each event. Additional information about rates can be found in the Expenditure Guidelines.

In the Chosen Provider section of the ISP, the SC or PA must list the needs identified by the Functional Needs Assessment that the service will address. If the Functional Needs Assessment doesn't capture the need for Professional Behavior Services but they are authorized by the ISP, this section should provide clarity.

The sum of the three units of Professional Behavior Services (TESP, FBA, PBSP) may not exceed limits in the expenditure guidelines.

If a TESP is needed, the SC or PA must indicate the reason for the TESP and the number of hours authorized for its completion.

A FBA is necessary for every individual receiving Professional Behavior Services. The SC or PA must indicate the challenging behaviors requiring the FBA and identify the number of hours authorized for its completion.

The FBA will identify if a PBSP is needed.

OR 310

“OR 310” should be selected in the ISP to authorize the maintenance of a PBSP. The ISP describes this code as Behavior Support Services. This is antiquated language that needs to remain in the ISP to match the explanation for the codes in eXPRS.

The number of units for OR 310 should equal the number of hours authorized in the ISP to maintain the PBSP during the Plan Year. The

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hours authorized in the ISP may not exceed the limits described in expenditure guidelines.

A PBSP will indicate the need for maintaining the plan.

Quick guide:

Billing Code	Professional Behavior Service Event
OR 570	TESP (TESP), when needed
OR 570	FBA (FBA)
OR 570	PBSP (PBSP), when indicated by the FBA
OR 310	Maintenance of the PBSP, when indicated in the PBSP.

Chapter 4 Plan of Care Codes and Billing

Except for individuals choosing their supported living provider to deliver Professional Behavior Services, the SC or PA must authorize Professional Behavior Services and maintenance of the PBSP eXPRS prior to the service beginning. Professional Behavior Services authorized may not exceed the Expenditure Guidelines. Services begun prior to the Plan of Care being created may not be reimbursed.

eXPRS labels code OR 570 as *Behavior Consultation, Assessment and Training for DD*. Code OR 570 indicates Professional Behavior Services – TESP, FBA, PBSP.

eXPRS labels code OR 310 as *Behavior Support services*. Code OR 310 indicates maintenance of the PBSP.

Plan Line for Professional Behavior Services

The SC or PA must open a Plan Line in POC and identify the number of events known to be needed. (A SuperUser can go back into eXPRS and edit this later).

The SC or PA must create a Service Prior Authorization (SPA) for each event and:

- Identify the Behavior Professional
- Identify the Date Range

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- Identify the not to exceed dollar amount anticipated for the completion of that event

The SC or PA can enter the TESP, FBA and PBSP SPAs in draft until ready to approve/submit and move on to the next portion of the service.

When a SC or PA authorizes Professional Behavior Services in an individual's Support Plan (ISP) they will also open a Plan Line in eXPRS using the correct modifier to identify the type of county in which the individual resides. Additional information can be found in the Expenditure Guidelines.

Provider Panel

When authorizing a Behavior Professional to deliver Professional Behavior Services, the Case Management Entity (CME) must add the Behavior Professional to their Provider Panel in eXPRS.

Approving a TESP, FBA, and PBSP

It is the responsibility of the SC or PA to read the TESP, FBA, PBSP, assuring the document(s) meet the minimum requirements outlined in OAR 411-304. Each document must include all requirements outlined in rule. The SC or PA shall not release a pending payment in eXPRS if the document associated with the payment does not meet rule requirements.

If the document does not meet rule requirements, the SC or PA must notify the Behavior Professional of the document's non-compliant status. The SC or PA should review the Service Agreement assuring that the requirements for the delivery of Professional Behavior Services was not met. The SC or PA is expected to collaborate with the Behavior Professional in this process. If the SC or PA finds that collaboration with the Behavior Professional does not yield a document that meets the requirements outlined in OAR 411-304, please contact ODDS for assistance by emailing ODDS.Questions@dhsosha.state.or.us.

A Behavior Professional who delivers a TESP, FBA or PBSP that does not meet the minimum requirements outlined in OAR 411-304 should not receive compensation. If a Behavior Professional believes their document does meet agreed upon requirements and rule criteria and is unable to

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resolve the discrepancies with the SC or PA in releasing a pending payment, they should file a complaint with the CME.

Incomplete Events

If a Behavior Professional is not able to complete a TESP, FBA or PBSP the Behavior Professional should submit to the SC or PA an invoice outlining the services that have been provided along with a letter of explanation as to why the event could not be completed. The Behavior Professional must provide documentation that reflects the work of the Behavior Professional was able to complete, proportionate to the hours being claimed. The SC or PA will request an exception to pay for the incomplete event.

Collaborating with the Behavior Professional

It is important to remember that the role of a SC or PA and the role of a Behavior Professional are different. Therefore, the focus of the professional roles may look different. It is essential that the SC or PA and the Behavior Professional create a collaborative environment by working together to best serve the individual.

Rates

Upon completion of the event, the Behavior Professional must deliver the TESP, FBA or PBSP along with the corresponding invoice to the SC or PA. The Behavior Professional will enter their cost into eXPRS by multiplying their hourly rate by the number of hours invoiced for that event. The Behavior Professional will enter their cost into eXPRS hours claimed by the Behavior Professional may not exceed the hours authorized in the ISP and eXPRS for the specific event.

Information about rates can be found in the Expenditure Guidelines.

Supported Living Settings

Individuals who choose to reside in a Supported Living setting may receive their Professional Behavior Services as part of the service package delivered by the residential agency. Therefore, no additional service needs to be authorized in eXPRS and no additional invoicing needs to be done. An individual may express a desire to have a Behavior Professional not

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employed by their Supported Living agency. Individuals may choose from amongst any qualified and enrolled provider.

Approving an Invoice

Invoiced amounts cannot exceed the hours authorized for the specific event in the ISP and eXPRS

An invoice must include:

- A list of the dates of service for the event being invoiced
- The name of the Behavior Professional or their designee who provided the service on each date
- Location of where the service was provided on each date
- Duration of the service delivered, rounded to the nearest 15 minutes
- Description of the service delivered on each date
- Name of the individual served

There is additional information about invoicing requirements available in the Invoice Requirement Worker Guide.

Invoices should be prepared at the time of, or immediately following, the event being recorded. Invoices must be accurate and contain no willful falsifications. Invoices must be legible, dated, and signed by the Behavior Professional who authored the document.

An invoice may include collaboration with the SC or PA, Designated Person or others integral to the completion of the event. An invoice may include time for the creation of the TESP, FBA, PBSP or updating the PBSP during maintenance.

An invoice may not include travel time.

Releasing pending payment

Once the SCs or PAs identifies that the TESP, FBA or PBSP meets the minimum requirements outlined in OAR 411-304 and that the invoice aligns with requirements, the payment pending in eXPRS must be released to the Behavior Professional in a timely manner. If the “not to exceed” amount drafted in eXPRS is more than the actual invoice being paid, then the drafted amount can be adjusted.

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Standard Rate and Rural Rate Counties

Some counties in Oregon do not have a qualified and enrolled Behavior Professional based within the county. To meet the needs of the individuals in these rural counties, Behavior Professionals must travel to provide the individuals residing in these counties with Professional Behavior Services unless the individual chooses to receive services through telehealth. Rates for each county in Oregon are included in the Expenditure Guidelines.

Exceptions

There may be times when an individual's need for Professional Behavior Services exceeds the standard provisions outlined in this document and the Expenditure Guidelines. A SC or PA may request an exception for the following situations, including but not limited to:

- The individual requires behavior supports to address challenging behavior in multiple settings;
- The individual experiences a high volume of change in Designated Persons, staffing or supportive persons who must be trained in plan techniques
- The individual experiences an exceptionally complex condition or displays a multitude of complex behavioral challenges which require more intensive analysis, planning, and training.
- The individual needs language interpretation or translation services to access Professional Behavior Services.
- The individual resides in a Supported Living setting and behavior supports are needed to address other settings, such as the addition of an employment setting.

Exception Process

When submitting an exceptions request for additional units/events/hours for Professional Behavior Services, the request form must be accompanied by all documentation of any completed event, such as the TESP, FBA, PBSP and the corresponding invoice.

Timelines

Existing plans should be reviewed by the ISP team every 12 months. If the existing PBSP is seen to be meeting the individual's needs, there is no need to change the plan. When the ISP team identifies that something in

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the plan needs to be updated, modified, changed, or amended, then the entire plan must be written to full compliance with these requirements.

Limitations and Exclusions

Professional Behavior Services cannot be authorized:

- For any activity not directly related to the development, implementation, or maintenance of an individual's PBSP.
- For the sole purpose to create or augment social stories.
- To include sex offender treatment. Sex offender treatment is outside a Behavior Professional's scope of practice. A Behavior Professional may create a PBSP for an individual displaying sexually mal-adaptive behaviors so that the Designated Persons can better provide behavior supports to the Individual.
- For vocational rehabilitation services.
- For speech-language pathology services.
- To assess or identify behavior supports solely to meet the needs of an individual at school, nor for educational services for school-age individuals including, but not limited to, consultation and training classroom staff. These services are available through the educational setting. A Behavior Professional may need to collaborate with the educational setting to understand of how the individual's experience in that setting may be affecting their behaviors in the home and community.
- To deliver Community Living Supports. While a Behavior Professional may also be enrolled to provide Community Living Supports, this is a separate service element.
- To treat a mental health condition, alcohol or substance use disorder treatment, therapy, or counseling.
- To deliver general education for family caregivers, educational seminars, or classroom trainings.
- Professional Behavior Services do not include money or resource management.

Chapter 5 TESP (TESP)

A TESP is a proactive support for the Designated Persons to follow to help mitigate an unsafe situation while the FBA and PBSP are being completed. If a TESP is authorized, then a FBA must be completed.

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TESPs are intended to be used only in emergency situations where there is an acute behavioral challenge that requires immediate intervention to address the health and safety of the individual or others, while the FBA is being completed. TESP is a short-term tool and should only be in place for 90-days or less.

TESPs may only include Safeguarding Interventions if an individual is entering a new setting or a new challenging behavior emerges, and the TESP includes documentation about how to use the safeguarding interventions.

TESP Requirements

All of the information identified by rule is required in every TESP. If something does not apply to the specific individual or situation, the Behavior Professional must identify the reason why the topic does not apply rather than omitting the topic.

See Appendix A for an easy reference TESP checklist.

TESP Timelines

TESPs are authorized to mitigate an urgent situation. Therefore, the Behavior Professional must deliver a TESP to an individual, their Designated Persons, and the SC or PA no later than 15 days after the behavior professional agrees to deliver Professional Behavior Services by signing the ISP or Service Agreement.

The TESP expires after 90-days. The SC or PA may reconvene the ISP team if the expiration date needs to be extended for exceptional circumstances. If the team agrees, an additional 90 days may be added to the expiration date of the TESP. The expiration date can only be extended once, allowing for the TESP to remain valid for six months. The one-time extension of the TESP must be documented in an ISP change form. These timeline requirements and expected completion date should be included in the ISP.

Chapter 6 FBA (FBA)

The FBA identifies the purpose of or reason for the challenging behavior displayed by the individual. The FBA should clarify the challenging behavior

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and identify how that behavior is impacted by the diagnosed intellectual or developmental disability.

FBA Timelines

The rule does not have specific timeline requirements for the completion of the FBA.

The ISP must document the hours authorized to complete the FBA. The Behavior Professional may not invoice for more hours than was authorized in the plan. The SC or PA should establish and document the estimated length of time needed to complete the FBA in the ISP. Most FBAs will take 90 days to complete. However, the time needed to complete the FBA may be affected by a myriad of factors, including an individual's unique needs or the availability of the Designated Persons. The individual, family, Designated Persons, SC or PA, and Behavior Professional should remain in communication around the length of time needed to complete the FBA.

The FBA timeline cannot exceed the ISP timeline unless it is authorized again in the next plan year. If the span of time to complete a FBA extends beyond the individual's plan year then the service will need to be authorized again in the following ISP.

FBA Requirements

All of the information identified by rule is required in every FBA. If something does not apply to the specific individual or situation, the Behavior Professional must document the reason why the topic does not apply.

See [Appendix B](#) for an easy reference FBA checklist.

Chapter 7 PBSP (PBSP)

A PBSP identifies the functional alternative behaviors as replacements to a challenging behavior. It also creates a practical and effective plan for Designated Persons to assist the individual in reducing challenging behavior(s).

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PBSP Timelines

The rule does not have specific timeline requirements for the completion of a PBSP.

The ISP must document the hours authorized to complete the PBSP. The Behavior Professional may not invoice for more hours than was authorized in the plan. Most PBSPs will take about 45 days to complete. However, the time needed to complete the PBSP may be affected by a myriad of factors, including an individual's unique needs or the availability of the designated persons. The individual, family, designated persons, SC or PA, and Behavior Professional should remain in communication around the length of time needed to complete the PBSP.

The PBSP development timeline cannot exceed the ISP year in which the service is authorized. If the span of time to complete a PBSP extends beyond the individual's plan year, then the service will need to be authorized again in the following ISP.

PBSP Requirements

All the information identified by rule is required in every PBSP. If something does not apply to the specific individual or situation, the Behavior Professional must identify the reason why the topic does not apply rather than omitting the topic.

See [Appendix C](#) for an easy reference PBSP checklist.

Chapter 8 Safeguarding Interventions

OAR 411-317 defines a "Safeguarding Intervention" as:

A manual physical restraint, applied by a designated person certified to use the safeguarding intervention according to OAR 411-304-0160, that:

- (a) Has been authored by a behavior professional as an emergency crisis strategy within a PBSP or TESP;
- (b) Has been consented to through the individually-based limitation process consistent with OAR 411-415-0070; and

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(c) Is used as an emergency crisis strategy to protect an individual from:

(A) Harming themselves;

(B) Harming others; or

(C) When the individual's behavior is likely to lead to intervention by law enforcement.

“Physical restraint” is defined in OAR 411-317 as:

“Any manual method or physical or mechanical device, material, or equipment attached to or adjacent to an individual's body that the individual cannot remove easily, which restricts freedom of movement or normal access of the individual to the individual's body. Any manual method includes physically restraining an individual by manually holding the individual in place.”

Physical restraints are only allowed if they meet the criteria of either a Safeguarding Intervention or an Emergency Physical Restraint. Emergency physical restraints are approved *maneuvers* delivered by a trained person and used in very limited circumstances when a person does not have an IBL and the maneuver is not included in their PBSP or TESP.

Emergency Physical Restraints are not allowed in children's developmental disabilities foster homes, Host Homes, and children's residential settings. All restraints applied in these settings must meet the criteria for a Safeguarding Intervention in addition to setting-specific requirements. These requirements can be found in OAR chapter 411, divisions 325, 346, and 348.

Certification requirements

Only Behavior Professionals who have the appropriate level of certification in an ODDS-approved behavior intervention curriculum can author Safeguarding Interventions.

SCs or PAs should verify that the Behavior Professional is certified to author Safeguarding Interventions when searching for a qualified Behavior

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Professional by reading the certification or letter issued by the ODDS-approved behavior intervention curriculum, such as the OIS Steering Committee.

Emergency Crisis Strategies in PBSPs

Any intervention meeting the definition of physical restraint as outlined in OAR 411-317 must be a Safeguarding Intervention and may only be included as an **emergency crisis strategy** in a PBSP or TESP.

Physical restraints are defined in OAR 411-317 as:

Any manual method or physical or mechanical device, material, or equipment attached to or adjacent to an individual's body that the individual cannot remove easily, which restricts freedom of movement or normal access of the individual to the individual's body. Any manual method includes physically restraining an individual by manually holding the individual in place.

Interventions that have restraining qualities cannot be included in an informal plan such as an interaction or staff guideline.

Physical Positioning

Physical Positioning is categorized as a Restrictive Measure in the OIS behavior-intervention curriculum. Physical positioning is when a Designated Person uses their own body position for the purpose of preventing access to an area, item, or person.

When Physical Positioning is an anticipated intervention it must be written into a PBSP and trained by Behavior Professional. Use of Physical Positioning should be tracked and reported to the CME based on the discussion held by the ISP team. The CME should review the use of Physical Positioning as part of their monitoring to determine the effectiveness of the PBSP.

Safeguarding Equipment

"Safeguarding Equipment" is defined in OAR 411-317 as:

a device that meets the definition of a "physical restraint", requires an individually-based limitation consistent with OAR 411-415-0070, and is used to:

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- (a) Maintain body position;
- (b) Provide proper balance; or
- (c) Protect an individual from injury, symptoms of a medical condition, or harm from a challenging behavior.

The use of Safeguarding Equipment must be included in a PBSP when necessary and the following information must be documented:

- The specific challenging behavior for which the safeguarding equipment is to be used;
- The specific device to be applied;
- Any necessary qualifications for the designated person;
- Situations for when to employ the use of safeguarding equipment; and,
- The length of time the safeguarding equipment may be applied in any instance.

Less intrusive measures

The Behavior Professional must document any less invasive actions which have determined to be ineffective or inappropriate for the individual when recommending a safeguarding intervention.

Safeguarding Intervention Documentation Requirements

The PBSP or TESP may only indicate the use of a Safeguarding Interventions to address a challenging behavior. The Behavior Professional must document:

- The specific challenging behavior for which the safeguarding interventions is to be used;
- Exactly which safeguarding intervention can be applied to address the challenging behavior;
- Required training and any specific characteristics required by the designated persons who may apply the safeguarding intervention;
- When to employ the use of safeguarding intervention; and
- When to avoid the use of the safeguarding intervention.
- When to abort the safeguarding intervention

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- A recommended schedule for the designated persons to practice the safeguarding interventions.

Prohibited Interventions

Professional Behavior Services and behavior supports cannot include any of the following characteristics:

- Abusive
- Aversive
- Coercive
- For convenience
- Disciplinary
- Demeaning
- Pain compliance
- Punishment
- Retaliatory

The following types of physical restraints are never allowed:

- Supine restraints
- Prone restraints
- Lateral restraints where an individual is held horizontally on a floor or other surface

Measure of Last Resort

A Behavior Professional may only include a Safeguarding Intervention in a PBSP or TESP when the safeguarding intervention is directed:

- For only as long as the situation presents imminent danger to the health or safety of the individual or another person; and
- To be used only as a measure of last resort.

This means that the PBSP or TESP must direct the Designated Person to immediately stop using the Safeguarding Intervention when the situation no longer presents a danger to the health or safety of the individual themselves or someone else. The PBSP or TESP must indicate that the only time it is acceptable to engage a Safeguarding Intervention is when the Designated Persons have no other way to keep the individual or others safe.

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A Safeguarding Intervention may never be indicated to remain in place for a specific amount of time. Safeguarding Interventions must be released immediately when there is no longer risk of imminent harm to the individual or others.

A Safeguarding Intervention may never be indicated as a strategy to use just because all other interventions fail to achieve the desired result. Safeguarding Interventions are only indicated when there is imminent risk of harm to the individual or others.

Weigh Test

Any PBSP or TESP including a safeguarding intervention must also document the:

- Nature and severity of imminent danger requiring a safeguarding intervention;
- Potential risk of harm to the individual from the behavior; and
- Weigh the potential risk of harm to the Individual from the safeguarding intervention against the potential risk of harm to from the challenging behavior.

This means that the Behavior Professional must document in the PBSP or TESP that the potential risk of harm to the individual from the application of the safeguarding intervention is less than the potential risk of harm to the individual from the behavior being exhibited.

Co-Authorship

A Behavior Professional who is not certified to include safeguarding interventions or emergency physical restraints in a PBSP or TESP may collaborate with a certified Behavior Professional who is certified to author safeguarding interventions. The certified Behavior Professional must both author and train any safeguarding interventions or emergency physical restraints written into a PBSP or TESP.

The Behavior Professional who is not certified to include safeguarding interventions, but is selected by the individual to provide Professional Behavior Services, is referred to as the “lead” Behavior Professional when they collaborate with another person who is certified to author safeguarding interventions or emergency physical restraints in a PBSP or TESP. Only the “lead” Behavior Professional can be authorized in eXPRS and paid.

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The lead Behavior Professional is responsible to make arrangements with any collaborators to the plan. The plan must be clearly co-authored by both the “lead” Behavior Professional as well as the person who is certified to author the safeguarding interventions.

The Behavior Professional who is co-authoring the PBSP or TESP by lending their expertise and certification to author and train safeguarding interventions or emergency physical restraints is referred to as the “certified” Behavior Professional.

The SC or PA will only authorize the lead Behavior Professional as the provider in the ISP and in eXPRS. It is the responsibility of the lead Behavior Professional to collaborate with a person who is certified to author Safeguarding Interventions. The SC or PA must verify that the portion of the plan that includes interventions that have restraining qualities was authored by a person who is certified to do so. **Remember, emergency physical restraints are not allowed in children’s foster homes, Host Homes, and children’s 24-hour residential settings.**

Scope of Practice

Behavior Professionals must remain within the scope of practice of a Behavior Professional. A Behavior Professional is not a trained medical professional. Safeguarding interventions arising from or to address a medical need should be authored by a medical professional in a written medical plan.

If the need for the Safeguarding Intervention is both medical and behavioral the SC or PA should assure that the Safeguarding Intervention reflects collaboration by both the medical provider and the qualified Behavior Professional. This should be documented in the PBSP or TESP. The SC or PA should coordinate the information sharing between the Behavior Professional and medical professional.

ODDS-Approved Behavior Intervention Curriculum

Safeguarding Interventions may only be those strategies and maneuvers included in an ODDS-approved behavior intervention curriculum. If there is a need to have a specific intervention modified, the Behavior Professional must get written permission from the oversight body of the ODDS-approved behavior intervention curriculum.

Written permission to modify the physical intervention must be attached to the PBSP or TESP. SCs or PAs must not authorize any PBSP or TESP

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containing any maneuver, technique or intervention that might have restraining qualities without confirming that it is included in an ODDS-approved behavior intervention curriculum. The SC or PA may request the Behavior Professional identify where the Safeguarding Intervention is included in the curriculum. SCs or PAs may consult with the oversight body of the ODDS-approved behavior intervention curriculum for further clarification.

Acknowledgement Statement

Every time a Behavior Professional writes a PBSP or TESP including Safeguarding Interventions, a statement must be included to indicate that prior to the implementation of any Safeguarding Intervention, an individual must have an individually-based limitation (IBL) for restraint in accordance with OAR 411-004-0040 and OAR 411-415-0070.

When a Behavior Professional includes a Safeguarding Intervention in a PBSP or TESP, the SC or PA will go through IBL process. If the individual consents to the Safeguarding Intervention by signing the IBL form, the Designated Persons have permission to use the Safeguarding Intervention. If the individual does not consent to the Safeguarding Intervention by refusing to sign the IBL form, the Designated Persons does not have permission to use the Safeguarding Intervention.

The Behavior Professional should not alter the PBSP or TESP if the Safeguarding Intervention is not consented to through the IBL process. The need for the Safeguarding Intervention may remain part of the Behavior Professionals' recommendation and may be trained to the Designated Persons for use in case of an emergency.

Chapter 9 Maintenance

When the Behavior Professional identifies that the PBSP will need ongoing maintenance and the individual elects to receive the service, the ISP must document this as a chosen service. The maintenance of a PBSP must be provided by a qualified Behavior Professional. The Behavior Professional providing maintenance of the PBSP may be a provider different from the Behavior Professional who authored the plan.

The ISP must clearly document why the plan needs to be maintained. Reasons a plan may need ongoing maintenance include:

- Continued development, training, implementation, and maintenance of a behavior data collection system utilized by Designated Persons;

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- Collecting, evaluating, and revising the plan based on the behavior data and data tracking;
- Continued observations, evaluation, and re-evaluation of individual response to the delivered behavior supports outlined in the PBSP;
- Training to the newly identified Designated Persons due to a high rate of change in caregivers;
- Safeguarding Interventions included in the PBSP require routine practice and the Behavior Professional is needed to provide this through training.

Maintenance Timelines

The ISP should document the hours authorized to maintain the PBSP. The Behavior Professional may not invoice for more hours than authorized in the ISP. The SC or PA must clarify the estimated length of time needed to maintain the PBSP. The estimated time cannot exceed the ISP year.

Maintenance Requirements

The ISP should document the requirements of the Behavior Professional in the maintenance phase of Professional Behavior Services.

The Behavior Professional maintaining the plan is expected to update the PBSP to reflect new information and insights acquired during the maintenance phase of Professional Behavior Services if applicable. The Behavior Professional must provide the updated plan to the individual, Family, Designated Persons, and the SC or PA.

During the maintenance phase of Professional Behavior Services, there is often no new written product developed (other than an updated PBSP where applicable). The invoice for maintenance must describe the service that was provided.

Chapter 10 Professional Behavior Services Standards of Practice

OAR 411-304 outlines standards of practice for all Behavior Professionals in all settings.

Release of Information

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The SC or PA must obtain a signed authorization for release of information from the individual (or their guardian or representative) prior to releasing any information to the Behavior Professional. Behavior Professionals must have authorization for release of information consented to by the individual (or their guardian or representative) prior to interacting with anyone outside of their own agency.

Confidentiality and Privacy

All Behavior Professionals must maintain the confidentiality and privacy of the Individual being served as outlined in the provider enrollment agreement and ODDS rules.

Mandatory Reporters and Duty to Inform

Behavior Professionals are mandatory reporters. Report abuse in Oregon, call 1-855-503-SAFE (7233). This hotline accepts abuse reporting for children and adults anywhere in Oregon. All Behavior Professionals have a duty to immediately inform the SC or PA when there is reason to suspect that an individual is the victim of abuse. Behavior Professionals have no more than 24-Hours to report an injury or unusual incident involving the individual being served. Behavior Professionals have no more than five days to inform the SC or PA if they suspect that challenging behavior may be the result of an individual experiencing a medical issue or medication side-effect. A Behavior Professional is not expected to diagnose or treat medical conditions, as this is outside the scope of practice of the Behavior Professional. A Behavior Professional is expected to report observations, particularly when it is suspected that the issue is related to abuse, a medical issue, or mental health issue.

Dual Relationships

A Behavior Professional may not serve an individual in a dual capacity. In situations where it is advantageous for the individual to have a provider deliver more than one service, the SC or PA may request a variance clearly outlining how the individual benefits from having the Behavior Professional act in a dual capacity.

Professional Relationships

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Behavior Professionals are required to maintain a relationship with the individual and the individual's family that is solely limited to the scope of delivery of Professional Behavior Services.

Chapter 11 Using Telecommunications Technology

The Behavior Professional may use secure, real-time interactive communication strategies to substitute for some face-to-face interactions during the delivery of Professional Behavior Services.

When an individual, Designated Persons, the SC or PA, and the Behavior Professional all agree that some Professional Behavior Services may be delivered through Telecommunications Technology, the agreement must be documented in the ISP or Service Agreement and signed by all parties involved, including the individual (or their representative), Designated Persons, the SC or PA, and the Behavior Professional.

Limitations

Professional Behavior Services cannot be solely delivered through Telecommunications Technology without exception. The decision of how much of the interaction between the Behavior Professional, individual, and Designated Persons is delivered using Telecommunication Technology should be based on the needs of the individual, with consideration of the availability of Designated Persons and the chosen Behavior Professional.

Chapter 12 Positive Behavior Supports

Positive Behavior Supports are not the same as Professional Behavior Services. Behavior Supports are delivered as attendant care by Designated Persons alongside Activities for Daily Living (ADLs), Instrumental Activities for Daily Living (IADLs), and health-related tasks.

Universal requirements

The delivery of Positive Behavior Supports are clarified in the rule specific to the paid provider, including Personal Support Workers and Direct Support Professionals working in any setting. It is the responsibility of the paid provider to know and understand the rule.

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There are two universal requirements for every Designated Person, regardless of role or the setting in which they deliver Positive Behavior Supports: freedom from restraint and data tracking.

Freedom from restraint

All individuals in every setting are assured freedom from restraint by Federal regulations, Oregon Revised Statute and Oregon Administrative Rule. However, in situations where interventions are required to maintain the health and safety of the individual or others, the process for an individually based limitation must be followed.

Designated Persons may not use any strategy or intervention that has restraining qualities unless:

The Safeguarding Intervention has been included in the emergency crisis section of a PBSP by a qualified Behavior Professional certified in an ODDS-approved behavior intervention curriculum;

The Designated Person is trained to the specific maneuver by a Behavior Professional certified to train the intervention;

The Designated Person has the physical characteristics necessary to safely deploy the maneuver; and

The individual (or their guardian) consents to the use of the Safeguarding Intervention through the IBL process.

Sometimes physical restraints are used in an emergency to keep the individual or others safe. Each rule governing the role of the provider outlines the responsibility of the Designated Person to report the use of a physical restraint in an emergency. Please note, **emergency physical restraints are prohibited in children's developmental disabilities Host Homes, 24-hour residential homes, and foster homes.**

Both Safeguarding Interventions and physical restraints used in an emergency may only be used as a last resort to keep an individual or others safe. Safeguarding Interventions or physical restraints used in an emergency may only be applied for as long as the individual or others are at imminent risk of being harmed.

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Parents and guardians of a minor child may use some parenting techniques that have restraining qualities. Oregon Statute and Child Welfare abuse rules address protections and limitations related to minor children under the care of a parent or guardian. Parents and guardians of adults, as well as any other person may not use any technique that has restraining qualities unless it meets the requirements for the use of Safeguarding Interventions and physical restraints used in an emergency.

Data Tracking

All Designated Persons are required to maintain behavior data tracking using the data collection system identified in the PBSP. The data tracking system may include a variety of methods or systems. If the Designated Person finds that the behavior data tracking system isn't effective or functional in the setting, they should work with the Behavior Professional to create a different system.

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Appendix A – TESP Approval Checklist

The TESP should be a document that clearly explains the current situation requiring an emergency plan.

- Clarify the need for a TESP. The Behavior Professional should document the nature of the emergency identified by the ISP team as needing a TESP.
- A TESP expires in 90 days. The Behavior Professional should document the expiration date of the TESP.
- Documentation of the challenging behavior(s) is included. The Behavior Professional should identify the nature of the behaviors contributing to the urgent situation, including:
 - The duration of the challenging behavior.
 - The frequency, or an estimation, of how often the challenging behavior occurs.
 - The intensity of the challenging behavior.
 - The perceived severity of the challenging behavior. The severity of a behavior is a description of the negative effect of the behavior on the individual, others, or the environment.
- Environmental factors likely to be associated with, or to trigger, the challenging behavior must be explained.
- Any known conditions that impact an individual's physical functioning must be plainly documented in the TESP and an explanation as to how the physical condition contributes to the emergency requiring a TESP.
- Any known or suspected medical or mental health conditions, including any medication interactions that may impact the urgent situation.
- A summary of medical and behavior supports currently being used to support the individual and how they interact with the emergency situation must be included in the TESP.
- A summary of the Activities of Daily Living (ADL), Instrumental Activities or Daily Living (IADL), and health-related tasks for which assistance and supports are needed by the individual from the Designated Persons. The

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Behavior Professional must include a description of how these may be impacted by the emergency.

The Behavior Professional must document the presence of any established IBL as required by OAR 411-415-0070 and OAR 411-004-0040.

The Behavior Professional must include a proposed timeline for the completion of the FBA.

The Behavior Professional must clearly articulate the recommended behavior supports, adjustments to the environment and guidelines for Designated Persons.

Includes direction to Designated Persons to notify the individual's SC or PA within 24 hours of the application of an emergency crisis strategy or any physical restraint.

NOTE: There may be some circumstance where information from this checklist is unavailable or not applicable to an individual and not included in the TESP. If that is the case, the Behavior Professional must explain why the information was not available and/or not applicable and the TESP may still be approved.

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Appendix A1 – Sample TESP Invoice

Pretty Good Behavior Company



123 Sesame Street, New York, NY
10001
Phone: 867-5309
Email: MrHooper@PGBC.com

BILL TO
P. Sherman, SC, NY CDDP
42 Wallaby Way,
New York, NY 10001

INVOICE FOR
TESP for Oscar T. Grouch

BEHAVIOR
PROFESSIONAL
PROVIDER NUMBER:
987312687

TESP authorized for 9 hours. Expected due date: 11/15/17 (amended to 11/20/17)

Date of Service	BP	Description of Service	Location	In	Out	Total Time
11/01/17	Mr. Harry Hooper	Agreed to provide Professional Behavior Services to OTG	CDDP office	NA	NA	NA
11/03/17	Mr. Harry Hooper	Received secure email – performed File Review	PGBC Office	1:00 PM	2:30 PM	1:30
11/05/17	Mrs. S. Nufflaguss (Admin)	Left message for OTG's identified Designated Person: Mr. B. Bird	Phone	NA	NA	NA
11/07/17	Mrs. S. Nufflaguss (Admin)	Mr. B. Bird returned call. First appointment set for 11/10/17	Phone	NA	NA	NA
11/07/17	Mr. Harry Hooper	Notified P. Sherman, SC that the timeline for the TESP will be delayed due to start time of the service. P. Sherman will adjust ISP to indicate due date move from 11/15/17 to 11/20/17	Email Exchange	NA	NA	NA
11/10/17	Mr. Harry Hooper	Observation and Interviews with Mr. B. Bird & OTG (see case notes for more information)	Mr. B. Bird's Foster Home	10:00 AM	12:00 PM	2:00

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Date of Service	BP	Description of Service	Location	In	Out	Total Time
11/15/17	Mr. Harry Hooper	Interview with Mr. B. Bird (see case notes for more information)	Phone	1:00 PM	1:45 PM	:45
11/16/17	Mr. Harry Hooper	Write TESP	PGBC Office	8:00 AM	12:00 PM	4:00
11/18/17	Mr. Harry Hooper	Review TESP with Mr. B. Bird & OTG	Mr. B. Bird's Foster Home	4:00 PM	5:00 PM	1:00
Total TIME				8.5 Hours		
Rate:				\$80/hour		
Total Amount:				\$680		

Behavior Professional Signature: 

Date Invoice and TESP was delivered to CDDP: November 22nd, 2017

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Appendix B – FBA Checklist

The FBA should be a readable document that clearly explains the challenging behaviors and gives the reader an understanding of what the individual gains from the challenging behavior.

- Documentation of interviews with the individual, family, Designated Persons and others who contributed to the development of the FBA.
- Documentation that the Behavior Professional completed a review of the relevant, existing, and available behavior data.
- Summary of the individual's history and the history of the challenging behavior.
- Justification of the need to develop behavior supports.
- Documentation of how the challenging behavior is impacted by the individual's intellectual or developmental disability.
- Documentation the Behavior Professional considered that the challenging behavior may be related to an effort to communicate, the result of a medical or mental health condition, a response to trauma, and/or an effort to control their environment.
- The contexts in which the challenging behavior is most and least likely to occur.
- An assessment of the individual's behavior in all environments in which the individual commonly engages.
- A description of the individual's ability to accomplish Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL), and health-related tasks with the supports currently in place.
- Documentation of any assistive devices, technology, safeguarding equipment and/or environmental modifications in place at the time of developing the FBA.

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- A summary of other behavior intervention or treatment plans, including mental health or educational plans, or a statement that no such plans were available.
- A measurable description of the individual's current challenging behavior, including duration, frequency, intensity, and severity.
- Any factor(s) that may impact the success of the PBSP.
- A statement regarding the cause or function(s) of the challenging behavior.
- A statement by the Behavior Professional supporting the need for a PBSP if a PBSP is indicated, or an explanation as to why a PBSP is not indicated.
- Sources used as references for the FBA.

NOTE: There may be some circumstance where information from this checklist is unavailable or not applicable to an individual and not included in the FBA. If that is the case, the Behavior Professional must explain why the information was not available and/or not applicable and the FBA may still be approved.

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Appendix B1 – Sample FBA Invoice

FBA authorized for 14 hours (amended to 16). Expected due date:
02/01/17 (amended to 03/01/18)

Date of Service	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	Total Time
11/25/17	H. Hooper	Sent ROI to P. Sherman for additional history.	Email	NA	NA	NA
11/30/17	H. Hooper	Email query to P. Sherman as to additional history (see email dated 11/30/17)	Email	NA	NA	NA
12/05/17	H. Hooper	Email query to P. Sherman and supervisor as to additional history (see email dated 12/05/17)	Email	NA	NA	NA
12/07/17	H. Hooper	Received secure email with additional history – File Review performed (see email dated 12/06/17)	PGBC Office	7:00 PM	8:00 PM	1:00
12/10/17	Mrs. S. Nufflaguss (Admin)	Left voice mail message for Mr. B. Bird to set up time to start FBA	Voice mail	NA	NA	NA
12/15/17	Mrs. S. Nufflaguss (Admin)	Left voice mail message for Mr. B. Bird to set up time to start FBA	Voice mail	NA	NA	NA
12/15/17	Mrs. S. Nufflaguss (Admin)	Left voice mail message for Mr. B. Bird to set up time to start FBA- notified Mr. Bird that if a return call wasn't received by 12/30/17 this case will be closed	Voice mail	NA	NA	NA
12/15/17	Mrs. S. Nufflaguss (Admin)	Notified P. Sherman that if contact isn't made by 12/30/17 the case will be closed. (see email dated 12/15/17)	Email	NA	NA	NA
12/16/17	Mrs. S. Nufflaguss (Admin)	Spoke with Mr. B. Bird and set up appointment	Phone	NA	NA	NA
12/20/17	H. Hooper	Interview with Mr. B. Bird & OTG (see case notes for more information)	Mr. B. Bird's Foster Home	10:00 AM	11:30 PM	1:30

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Date of Service	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	Total Time
12/22/17	Mrs. S. Nufflaguss (Admin)	Left voice mail message for Mr. Telly (OTG's competitive, integrated employment)	Voice mail	NA	NA	NA
12/22/17	Mrs. S. Nufflaguss (Admin)	Left voice mail message for Mr. Telly (OTG's competitive, integrated employment)	Voice mail	NA	NA	NA
12/27/17	Mrs. S. Nufflaguss (Admin)	Spoke with Mr. Telly to set up appointment	Phone	NA	NA	NA
01/04/18	H. Hooper	Interview and Observation of OTG with Mr. Telly in competitive, integrated employment setting. (see case notes for more information)	Telly's Pretty Good Job Site	3:00 PM	4:00 PM	1:00
01/07/18	Mrs. S. Nufflaguss (Admin)	Left message for OTG's Uncle Bert, with whom OTG often spends weekends	Phone	NA	NA	NA
01/07/18	H. Hooper	Notified P. Sherman, SC that the expected due date/time allotted for the FBA needs to be extended. OTG additional employment setting and weekends with Uncle will extend expected due date to 03/01/17 and hours extended to 16. (See email dated 01/07/18)	Email Exchange	NA	NA	NA
01/15/18	H. Hooper	Interview and Observation of OTG and Mr. Bert Pigeon at Uncle Bert's (see case notes for more information)	Mr. Pigeon's Home	2:00 PM	4:00 PM	2:00
01/15/18	Mrs. S. Nufflaguss (Admin)	Spoke with Mr. B. Bird to set up appointment	Phone	NA	NA	NA
01/17/18	H. Hooper	Interview with Mr. B. Bird (see case notes for more information)	Mr. B. Bird's Foster Home	11:30 AM	1:00 PM	1:30
01/19/18	H. Hooper	Write FBA	PGBC Office	1:00 PM	4:00 PM	4:00

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Date of Service	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	Total Time
01/20/18	Mrs. S. Nufflaguss (Admin)	Spoke to Mr. B. Bird to set up appointment to go over FBA	Phone	NA	NA	NA
02/02/18	H. Hooper	Review FBA with Mr. B. Bird and OTG (see case notes for more information)	Starbucks	9:00 AM	10:00 AM	1:00
02/02/18	Mrs. S. Nufflaguss (Admin)	Spoke to Mr. Telly to set up appointment to go over FBA	Phone	NA	NA	NA
02/02/18	H. Hooper	Revise FBA based on additional information gathered on 02/02/18 from Mr. B. Bird	PGBC Office	10:30 AM	11:30 AM	1:00
02/02/19	H. Hooper	Review FBA with Mr. Telly and OTG (see case notes for more information)	Telly's Pretty Good Job Site	3:00 PM	4:00 PM	1:00
02/02/18	Mrs. S. Nufflaguss (Admin)	Spoke to Uncle Bert Pigeon to set up appointment to go over FBA (see case notes for more information)	Phone	NA	NA	NA
02/02/19	H. Hooper	Review FBA with Uncle Bert Pigeon and OTG (see case notes for more information)	Mr. Pigeon's Home	2:00 PM	3:00 PM	1:00
				Total Time	15 Hours	
				Rate:	\$80/hour	
				Total Amount:	\$1,200.00	

Behavior Professional Signature: 
 Date Invoice and FBA was delivered to CDDP: February 8th, 2018

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Appendix C – PBSP Checklist

The PBSP should give designated persons a clear path to know what to do to prevent or intervene during challenging behaviors. The length of the PBSP should be reasonable and the formatting should help the reader understand the information being presented.

The behavior support approaches are written in a person-specific manner. The plan is individualized.

The PBSP includes:

A measurable description of the challenging behavior, including duration, frequency, intensity, and severity.

A description of the baseline behavior.

A description of the functional alternative behavior.

The supports available to an Individual to implement a functional alternative behavior.

Known or suspected triggers or setting events for the challenging behavior.

A description of common settings for the individual.

Behavior supports to reduce duration, frequency, intensity, or severity of the challenging behavior.

Documentation of the individual's preferences for the delivery of behavior supports.

The circumstances that are preventing the individual from accomplishing ADL, IADL, and health-related tasks.

The supports available to an individual to support a functional alternative behavior.

Any IBLs in place the time the PBSP is developed.

Strategies to help the Designated Person understand, deescalate, redirect, or reduce an individual's challenging behavior, including strategies that are:

Proactive.

Reactive or an explanation when not needed.

Emergency crisis or an explanation when not needed.

Recovery or an explanation when not needed.

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Evidence the behavior supports address medical, biological, environmental, psychological, social, historical, trauma and other factors.

If safeguarding interventions are included in the PBSP the following must also be present:

- A statement indicating that the interventions cannot be used until the individual consents through the IBL process.
 - Weigh test. This is an explanation of the potential danger to the individual from each challenging behavior weighed against the potential danger from each Safeguarding Intervention.
 - Indication that any Safeguarding Interventions must be predicated by less intrusive measures
 - Requirement that any Safeguarding Intervention must be documented and used only as a last resort
- Documentation of the behavior data collection system.
- Indicators for when to review or revise the plan, including who is responsible for the review. The PBSP should be reviewed every 12 months with the ISP team at a minimum.
- A plan to phase out professional behavior services.
- Documentation that the information outlined in plan has been reviewed with the Individual, their legal or designated representative, and Designated Persons.
- Documentation that the Behavior Professional provided the initial training of the behavior supports in a PBSP to the Designated Person on the behavior supports. Training must include:
- Observation of Designated Person implementing or role-playing the behavior supports, or a statement that this was not consented to by the individual or their legal/designated representative.
 - Gathering feedback from the Individual and Designated Person to inform modifications to the plan prior to finalization of the PBSP.

A PBSP must not include any prohibited interventions.

NOTE: There may be some circumstance where information from this checklist is unavailable or not applicable to an individual and not included in the PBSP. If that is the case, the Behavior Professional must explain why

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the information was not available and/or not applicable and the PBSP may still be approved.

DRAFT

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Appendix C1 – Sample PBSP Invoice

PBSP authorized for 7 hours (exception approved. Amended to 15 hours). Expected due date: 05/15/18

Date of Service	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	Total Time
02/15/18	Mr. Harry Hooper	Discussion with P. Sherman, SC regarding hours need to complete a PBSP for OTG's foster and employment setting as well as Uncle Bert's home. P. Sherman will request exception for additional 8 hours to complete PBSP.	Phone	11:00 AM	11:30 AM	:30
02/15/18	Mrs. S. Nufflaguss (Admin)	Set up appointment with Mr. B. Bird. They are going on vacation.	Phone	NA	NA	NA
02/20/18	Mr. Harry Hooper	Write PBSP	PGBC Office	9:00 AM	12:00 PM	3:00
02/24/18	Mr. Harry Hooper	Write PBSP	PGBC Office	2:00 PM	4:00 PM	2:00
03/01/18	Mr. Harry Hooper	Review PBSP and Behavior Data Tracking with Mr. B. Bird & OTG (see case notes for more information)	Mr. B. Bird's Foster Home	4:00 PM	5:30 PM	1:30
03/15/18	Mr. Harry Hooper	Received notice from P. Sherman, SC that exception was approved for an additional 8 hours.	Email	NA	NA	NA
03/20/18	Mr. Harry Hooper	Observation of Mr. B. Bird & OTG (see case notes for more information)	Mr. B. Bird's Foster Home	12:30 PM	2:00 PM	1:30
03/20/18	Mr. Harry Hooper	Phoned P. Sherman, SC re: concerning report from OTG regarding a fall during vacation. (see case notes for more information)	Phone	3:00 PM	3:30 PM	:30
03/22/18	Mr. Harry Hooper	Revise PBSP based on observation	PGBC Office	8:00 AM	9:30 AM	1:30
03/25/18	Mr. Harry Hooper	Review PBSP and Behavior Data Tracking with Mr. B. Bird & OTG (see case notes for more information)	Mr. B. Bird's Foster Home	4:00 PM	5:00 PM	1:00

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Date of Service	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	Total Time
03/30/18	Mr. Harry Hooper	Review PBSP and Behavior Data Tracking with Mr. Telly & OTG (see case notes for more information)	Telly's Pretty Good Job Site	11:00 AM	12:00 PM	1:00
04/01/18	Mr. Harry Hooper	Review PBSP and Behavior Data Tracking with Uncle Bert Pigeon & OTG (see case notes for more information)	Telly's Pretty Good Job Site	10:00 AM	11:00 AM	1:00
04/05/18	Mr. Harry Hooper	Revise PBSP based on observations	PGBC Office	8:00 AM	9:30 AM	1:30
04/07/18	Mr. Harry Hooper	Review revised PBSP with Mr. Bert Pigeon (see case notes for more information)	Phone	11:00 AM	11:30 AM	:30
04/07/18	Mr. Harry Hooper	Review revised PBSP with Mr. B. Bird (see case notes for more information)	Phone	11:45 AM	12:30 PM	:45
04/07/18	Mr. Harry Hooper	Review revised PBSP with Mr. Telly (see case notes for more information)	Phone	1:00 PM	1:30 PM	:30

Total TIME 9 Hours
Rate: \$80/hour
Total Amount: \$1,340.00

Behavior Professional Signature: *Harry Hooper*
 Date Invoice and TESP was delivered to CDDP: April 10th, 2018

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Appendix D – Sample Maintenance Invoice

Maintenance authorized for 2 hours each month not to exceed 18 hours in the ISP plan year ending 10/10/18. Agreement to invoice every two months. Maintenance plan outlined in ISP.

Date of Service	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	Total Time
05/01/18	Mrs. S. Nufflaguss (Admin)	Left Message with Mr. B. Bird to set up first maintenance appointment	Phone	NA	NA	NA
05/05/18	Mrs. S. Nufflaguss (Admin)	Left Message with Mr. B. Bird to set up first maintenance appointment	Phone	NA	NA	NA
05/10/18	Mrs. S. Nufflaguss (Admin)	Left Message with Mr. B. Bird to set up first maintenance appointment. Notified Mr. Bird that if a call isn't returned by 05/20/18 the case will be closed.	Phone	NA	NA	NA
05/20/18	Mrs. S. Nufflaguss (Admin)	Spoke with Mr. Bird – set up appointment	Phone	NA	NA	NA
05/30/18	H. Hooper	Observation and Interview with Mr. Bird and OTG. (see case notes)	Bird Foster	3:00 PM	4:00 PM	1:00
06/02/18	H. Hooper	Reviewed Behavior Data from Mr. Bird and created new training plan for Designated Persons at Bird Foster (see case notes)	PGBC Office	8:00 AM	10:00 AM	2:00
06/08/18	H. Hooper	Re-training of Designated Persons at Bird Foster (Staff: Ernie, Elmo and Mr. B. Bird)	Bird Foster	3:00 PM	4:15 PM	1:15
06/08/18	H. Hooper	Notified P. Sherman, SC of concerns with Designated Persons at Bird Foster (see case notes)	PGBC Office	NA	NA	NA
06/10/18	Mrs. S. Nufflaguss (Admin)	Left Message with Mr. Telly to set up first maintenance appointment in the competitive integrated workplace.	Phone	NA	NA	NA
06/12/18	Mrs. S. Nufflaguss (Admin)	Set up appointment with Mr. Telly	Phone	NA	NA	NA

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Date of Service	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	Total Time
06/18/18	H. Hooper	Observation and Interview with Mr. Telly and OTG. (see case notes)	Telly's Pretty Good Job Site	7:00 AM	9:15 AM	1:15
06/18/18	Mrs. S. Nufflaguss (Admin)	Left Message with Mr. Bert Pigeon to set up first maintenance appointment.	Phone	NA	NA	NA
06/20/18	Mrs. S. Nufflaguss (Admin)	Set up appointment with Mr. Bert Pigeon	Phone	NA	NA	NA
06/25/18	H. Hooper	Observation and Interview with Mr. Bert Pigeon and OTG. (see case notes)	Mr. Pigeon's Home	6:00 PM	7:30 PM	1:30

Total TIME 8.5 Hours
 Rate: \$80/hour
 Total Amount: \$560

Behavior Professional Signature: *Harry Hooper*

Date Invoice for Maintenance for the PBSP was delivered to CDDP: June 27th, 2018

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Appendix E – Resources

ODDS Expenditure Guidelines:

<https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/PROVIDERS-PARTNERS/Documents/ODDS-Expenditure-Guidelines.pdf>

ODDS Provider and Partner Resources:

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/PROVIDERS-PARTNERS/Pages/index.aspx>

ODDS Rules:

<https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/ODDS-Rules-History.aspx>

ODDS Transmittals:

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/Pages/Transmittals.aspx>

ODDS Worker Guides:

<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/DD/PROVIDERS-PARTNERS/Pages/ODDS-Worker-Guides.aspx>

Oregon Intervention System (OIS):

<https://www.asioregon.org/oregon-intervention-system/>

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Appendix F – Acronyms and Initials

CME – Case Management Entity

Functional Behavior Assessment – FBA

HCBS – Home and Community-Based Services

ISP – ISP

LGBTQIA+ – lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual

Positive Behavior Support Plan – PBSP

PEAA – Provider Enrollment Application and Agreement

POC – Plan of Care

SE – Safeguarding Equipment

SI – Safeguarding Intervention

Temporary Emergency Safety Plan – TESP

OAR – Oregon Administrative Rule