

Using the Guide to Professional Behavior Services

This is a web-based Guide. Do not print or save this document to your own device. This Guide will be updated regularly for clarity. If you discover an error in this document please contact the [ODDS Subject Matter Expert](#).

This Guide contains [hyperlinks](#). Click on an underlined word to be linked to either a place within this Guide or a location on the internet that gives further clarification thus making it unnecessary to need to re-read the entire document to find the information you are looking for.

This Guide applies to all Professional Behavior services providers as well to all individuals receiving service in 24-Hour Residential, Adult and Children's Foster, Supported Living and In-home settings.

This guide serves as a single point of clarification about Professional Behavior Services in any [Home and Community Based Setting](#) for Services Coordinators, Personal Agents, Behavior Professionals, [Designated Persons](#) as well as Individuals and their families.

This Guide is searchable by using the search feature on a computer as well as by clicking on within the Table of Contents.

UNDERSTANDING PROFESSIONAL BEHAVIOR SERVICES

WORKER GUIDE
AND
FIELD MANUAL

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Guide to Professional Behavior Services

Rules

Chapter 1 Rules

ODDS rules are organized according to the role a person plays. Each rule will clarify what each role is responsible for and will set the requirements for that role's part of Professional Behavior Services. Found in this chapter are links to each rule.

411-304 – Professional Behavior Services

[This rule](#) sets Oregon's standards for the delivery of [Professional Behavior Services](#) to all Individuals receiving services and supports through ODDS. These rules identify who can deliver these service by setting qualification criteria and service delivery requirements.

411-415 – Case Management Services

[This rule](#) outlines the requirements for Services Coordinators and Personal Agents to authorize and manage [Professional Behavior Services](#) and positive [behavior supports](#).

411-360 – Foster Homes for Adults

[This rule](#) sets the requirements for the delivery of positive [behavior supports](#) by [Designated Persons](#) in a foster care setting for adults.

411-346 – Foster Homes for Children

[This rule](#) sets the requirements for the delivery of positive [behavior supports](#) by [Designated Persons](#) in a foster care setting for children.

411-375 – Independent Providers

[This rule](#) sets the requirements for the delivery of positive [behavior supports](#) by [Designated Persons](#) who are independent providers, including Personal Support Workers and Job Coaches. This rule also sets the requirements to become an independent provider – including Professional Behavior Services.

411-323 – Agency Certification and Endorsement

[This rule](#) sets the requirements for the delivery of positive [behavior supports](#) by [Designated Persons](#) who are employed or contracted by an agency, including Direct Support Professionals (DSPs). This rule also sets the requirements to become an agency provider – including Professional Behavior Services.

Guide to Professional Behavior Services

Rules

[411-004 – Home and Community Based Services and Settings](#)

[This rule](#) sets Oregon’s requirements for the delivery of home and community-based services and the environments in which services are delivered. This rule includes conditions and requirements for when protections are limited based on Individual needs, including the need for restrictive interventions identified through Professional Behavior Supports.

Guide to Professional Behavior Services

Definitions

Chapter 2 Definitions

Behavior Professional

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Previously Known As: These service providers may have been known as Behavior Consultants or Behavior Specialists.

Explanation: The creation of a [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#); [Positive Behavior Support Plan](#) or [maintenance](#) of the Positive Behavior Support Plan is the work of a Behavior Professional. A person doing the work of a Behavior Professional must qualify according to [OAR 411-304-0170](#) and their work must meet the [requirements](#) set forth in the Professional Behavior Services rule, regardless of the setting for where the plan is being created, implemented or maintained, and not matter the title of the person doing the work.

Behavior Supports

Rule Language: The definition for this term can be found in [OAR 411-317](#)

Explanation: Behavior supports are written into a [Temporary Emergency Safety Plan](#) or [Positive Behavior Support Plan](#) by a [qualified Behavior Professional](#) and are delivered by [Designated Persons](#) alongside Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL). Requirements for the delivery of Positive Behavior Supports are included in the rule that applies to each type of provider or Designated Person. The delivery of [positive behavior supports](#) are clarified in the [rule specific to](#) the Designated Person.

Baseline Behavior

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Explanation: An Individual's baseline measures behavior before and after the implementation of [behavior supports](#). Baseline behavior is a description of the Individual's typical behavior and is used as a reference point to identify the effectiveness of behavior supports. The description of an Individual's baseline behavior includes the [duration](#), [frequency](#), [intensity](#), and [severity](#) of the behavior displayed by the Individual. The description includes a timeline of the baseline behavior prior to the implementation of an initial or revised [Positive Behavior Support Plan](#). The baseline behavior should be reviewed at least every 12 months by the Individual's Support Plan (ISP) Team.

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Definitions

Challenging Behavior

Rule language: [The definition for this term can be found in OAR 411-317](#)

Explanation: Challenging behaviors are behaviors demonstrated by the Individual that interfere with the Individual's ability to have their basic needs meet. Behaviors that impede an Individual from receiving necessary activity of daily living (ADL) or instrumental activity of daily living (IADL) support to the extent that the safety of the Individual or others is threatened are considered Challenging Behaviors.

Designated Persons

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Explanation: This term encompasses the person or role delivering the [positive behavior supports](#) written into a [Temporary Emergency Safety Plan](#) or [Positive Behavior Support Plan](#). The delivery and reporting of [positive behavior supports](#) are clarified in the [rule specific to](#) the Designated Person.

Dual Capacity

Rule Language: This term isn't defined in rule.

Explanation: Dual capacity is when a provider has two or more personal or professional relationships with an Individual.

Emergency Use of Physical Restraints

Rule Language: This term isn't defined in rule.

Previously Known As: Protective Physical Interventions (PPI's).

Explanation: Physical restraints that are used in an emergency, and are neither written into a [Positive Behavior Support Plan](#) nor consented to through the [Individually Based Limitations \(IBL\) Process](#), are called "emergency physical restraints". Emergency physical restraints are not called a Safeguarding Intervention because Safeguarding Interventions must both be written into a plan and be consented to by the Individual through the Individually-Based Limitations (IBL) Process. [Safeguarding Interventions](#) are written into a [Positive Behavior Support Plan](#) and consented to through the [Individually Based Limitations \(IBL\) Process](#). There may be times when it will be necessary to keep the Individual or others safe even when the Safeguarding Intervention isn't written into a Positive Behavior Support Plan or the Safeguarding Intervention is written into a Positive Behavior Support Plan but is not consented to through the [Individually Based Limitations \(IBL\) Process](#). In these situations, a physical restraint might be needed to keep the Individual or others safe because there is an imminent risk of harm to the Individual or someone else.

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Functional Alternative Behavior

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Explanation: A Functional Alternative Behavior is a functionally equivalent alternative behavior or functionally equivalent replacement behavior. Functional Alternative Behaviors are desirable, acceptable behaviors that achieve the same outcome as a less desirable challenging behavior. To determine an appropriate alternative behavior, one must first understand the function of the problem behavior. This requires completion of a [Functional Behavior Assessment \(FBA\)](#).

Functional Behavior Assessment (FBA)

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Previously Known As: This may have been known as a Functional Assessment.

Explanation: A [Functional Behavior Assessment \(FBA\)](#) is created to establish a hypothesis around the function of the Individual's challenging behavior. A Functional Behavior Assessment is the starting point for all [Positive Behavior Support Plans](#).

Maintenance of the Positive Behavior Support Plan

Rule Language: This term isn't defined in rule.

Previously Known As: Ongoing behavior consultation.

Explanation: A [Positive Behavior Support Plan](#) might indicate reasons why the plan needs to be [maintained](#) throughout the Individual's plan year. Maintenance of the Positive Support Plan includes the following activities: analysis of data, training of behavior techniques, or amending the plan.

ODDS-Approved Behavior Intervention Curriculum

Rule Language: This term isn't defined in rule.

Explanation: The Oregon Department of Developmental Disabilities (ODDS) has one approved behavior intervention curriculum. The [Oregon Intervention System \(OIS\)](#) is a system of training and implementing the principles of Positive Behavior Support and Intervention to [Designated Persons](#) who support adults and children with Intellectual/Developmental Disabilities (I/DD) displaying challenging behaviors.

Guide to Professional Behavior Services

Definitions

Positive Behavior Support Plan (PBSP)

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Previously Known As: These plans may have been known as Behavior Plans or Behavior Support Plans.

Explanation: A [Positive Behavior Support Plan](#) is created to clarify how to reduce the frequency, intensity, severity, or duration of a challenging behavior. Positive Behavior Support Plans includes directions for the [Designated Persons](#) to use [Behavior Supports](#).

Professional Behavior Services

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Previously Known As: This service may have been known as Behavior Consultation.

Explanation: A [qualified Behavior Professional](#) delivers Professional Behavior Services in any [Home and Community Based Setting \(HCBS\)](#). Professional Behavior Services are limited to:

- Creating a [Temporary Emergency Safety Plan](#), when one is needed;
- Creating a [Functional Behavior Assessment](#);
- Creating, implementing, and the initial training of a [Positive Behavior Support Plan](#), when the Functional Behavior Assessment indicates the need for a functional alternative behavior;
- [Maintaining](#) the Positive Behavior Support Plan, when the Positive Behavior Support Plan indicates the need for maintenance.

Restraints

Rule Language: The definition for this term can be found in [OAR 411-004](#)

Explanation: This refers to a physical maneuver or mechanical device or equipment that restrains by manually holding someone in place, restricting freedom of movement, or restricting access to one's body. Individuals are free from unnecessary restraint and the only restraints allowed are Safeguarding Techniques – which are limited to Safeguarding Equipment, Safeguarding Interventions, and the emergency use of physical restraints under the appropriate Oregon Administrative Rules and Medicaid Authorities.

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Definitions

Safeguarding Equipment

Rule Language: [The definition for this term can be found in OAR 411-317](#)

Explanation: Sometimes Individuals need to have equipment restricting movement applied to their body for health or safety reasons. Equipment is considered Safeguarding Equipment if it is applied to the Individual's body, resulting in restricted movement, and both of the following apply: the equipment cannot be easily removed by the Individual and the Individual shows resistance to the equipment after it is applied.

Safeguarding Interventions

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Previously Known As: The [ODDS-Approved Behavior Intervention Curriculum](#) refers to these as Protective Physical Interventions (PPI). Previously ODDS referred to all physical intervention using the term coined by The Oregon Intervention System.

Explanation: [Safeguarding Interventions](#) are hands-on [restraints](#) that have been included in a [Positive Behavior Support Plan](#) by a [qualified Behavior Professional](#) and consented to by the Individual through the [Individually Based Limitations \(IBL\) Process](#). Safeguarding Interventions must be maneuvers specifically identified in an [ODDS-approved behavior interventions curriculum](#) or for which there is written approval from the oversight body of the behavior intervention curriculum.

Temporary Emergency Safety Plan (TESP)

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Explanation: The [Temporary Emergency Safety Plan](#) can be implemented as a time-limited plan when the Individual is in need of immediate behavior supports while the [Functional Behavior Assessment](#) and [Positive Behavior Support Plan](#) are being developed.

Telecommunications Technology

Rule Language: The definition for this term can be found in [OAR 411-304](#)

Explanation: Individuals and their ISP team may agree to have some [Professional Behavior Services](#) delivered using secure, two-way, real time interactive communication strategies. These communication strategies are referred to as [Telecommunications Technology](#).

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Becoming a Behavior Professional

Chapter 3 Becoming a Behavior Professional

Enrolling as a Behavior Professional starts with the decision to be an independent or agency provider of Professional Behavior Services. It is recommended that a Behavior Professional consult their legal or accounting resources to determine which business entity will best suit their needs. 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 through ODDS Provider Enrollment .	Must adhere to OAR 411-375 and complete the Independent Provider Enrollment Application and Agreement through ODDS Provider Enrollment .
Certified Medicaid Agencies are subject to the requirements of their certification.	Independent Providers are sole proprietors or LLCs and they are not subject to DHS Licensure
Agencies may have employees	Independent Providers do not have employees
Agencies are endorsed to OAR 411-304	Are required to follow OAR 411-304 . All Independent Providers of Professional Behavior Services must meet the education and experience requirements as well as have a background check and be certified in an ODDS-Approved Behavior Intervention Curriculum upon enrollment.
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	Independent Providers have a provider enrollment agreement with ODDS. ODDS is responsible to ensure that the independent provider meets the education and experience requirements as well as have a background check and have an ODDS-Approved behavior intervention curriculum upon enrollment and renewal.

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Agency	Independent Provider
the education and experience requirements, as well as have a background check and be certified in an ODDS-Approved Behavior Intervention Curriculum when the agency goes through their certification or endorsement process. It is the responsibility of the Agency to assure that Professional Behavior Services are only delivered by a qualified Behavior Professional.	
Agencies must carry higher levels of Commercial Liability Insurance as outlined in OAR 411-325	Independent Providers are required Commercial Liability Insurance.

Qualification Requirements for All Settings

Both Agency and Independent Providers of [Professional Behavior Services](#) are held to the same [requirements](#), have the same [qualification requirements](#), and the [components](#) of Professional Behavior Services are identical. Any person who is creating a [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#), [Positive Behavior Support Plan](#) or [maintaining](#) the Positive Behavior Support Plan is doing the work of a [Behavior Professional](#). Anyone doing the work of a Behavior Professional must meet the minimum [education and experience requirements](#). All [Temporary Emergency Safety Plans](#), [Functional Behavior Assessment](#) and [Positive Behavior Support Plans](#) must adhere to the requirements set forth in [OAR 411-304](#).

Independent Providers

Independent Providers of Professional Behavior Services must adhere to OAR 411-375 and complete the [Independent Provider Enrollment Application and Agreement](#) through [ODDS Provider Enrollment](#). All Independent Providers of Professional Behavior Services must meet the [education and experience requirements](#) as well as [a background check and be certified in an ODDS-Approved behavior curriculum](#) upon enrollment or re-enrollment.

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Agency Providers

Agency Providers delivering Professional Behavior Services must adhere to OAR 411-323, [be endorsed to OAR 411-304](#) and complete the [Agency Provider Enrollment Application and Agreement](#) through [ODDS Provider Enrollment](#). All employees who are performing the work of a [Behavior Professional](#) must meet the [education and experience requirements](#) as well as [a background check and be certified by an ODDS-Approved Behavior Intervention Curriculum](#) upon hire or promotion. Any existing employee who is performing the work of a Behavior Professional must meet the education and experience requirements as well as a background check and be certified by an ODDS-Approved Behavior Intervention Curriculum when the agency goes through their certification or endorsement process. It is the responsibility of the Agency to assure that Professional Behavior Services are only delivered by a qualified Behavior Professional.

24-Hour Residential and Supported Living Providers

24-Hour Residential and 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 24-Hour Residential or 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 24-Hour or Supported Living setting requires that their Positive Behavior Support Plan include another setting, such as competitive, integrated employment, the Individual may choose to have the Behavior Professional employed by the 24-Hour or Supported Living setting update their plan. If a 24-Hour or Supported Living agency chooses to create a new or augment an existing [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#), [Positive Behavior Support Plan](#) or to [maintain](#) a Positive Behavior Support Plan, then the 24-Hour Residential or Supported Living agency needs to become endorsed to OAR 411-304.

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Becoming a Behavior Professional

Education and Experience Requirements

ODDS reviews all qualification materials submitted. A variance can be requested and should be submitted to the [ODDS Subject Matter Expert](#) using the [Variance Form – 6001](#) which

BCBA¹

A person who is a Board-Certified Behavior Analyst® must also have a minimum of one-year experience providing [positive behavior supports](#) to Individuals who experience intellectual or developmental disabilities. The experience must be outlined in their resume or Curriculum Vitae.

Masters

A person with a Master of Science or Master of Arts degree in psychology, sociology, human services, education, or social work must have a minimum of one-year experience providing [positive behavior supports](#) to Individuals who experience intellectual or developmental disabilities. The experience must be outlined in their resume or Curriculum Vitae. People with a Master of Science or Master of Arts degree in another field can provide unofficial transcripts indicating applicable coursework. Transcripts must demonstrate a minimum of 6 courses in psychology, sociology, human services, education, social work, or a related field. ODDS reviews all qualification materials submitted.

Bachelors

A person with a Bachelor of Science or Bachelor of Arts degree in psychology, sociology, human services, education, or social work must have a minimum of three-years of experience providing positive behavior supports to Individuals who experience intellectual or developmental disabilities. The experience must be outlined in their resume or Curriculum Vitae. People with a Bachelor of Science or Bachelor of Arts degree in another field can provide unofficial transcripts indicating applicable coursework to demonstrate qualifications. Transcripts must demonstrate a minimum of 6 courses in psychology, sociology, human services, education, social work, or a related field. ODDS reviews all qualification materials submitted.

¹ While a BCBA may qualify to deliver Professional Behavior Services, ODDS does not fund Applied Behavior Analysis.

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Experience Only - No Qualifying Degree

A person without a qualifying degree must demonstrate that they have six-years of experience delivering [Professional Behavior Services](#) prior to January 1, 2021. After this date, only Behavior Professionals with a qualifying degree will be able to enroll. The experience requirement for people enrolling without a qualifying degree is more stringent – this experience is specifically limited to creating Temporary Emergency Safety Plans, Functional Behavior Assessments or [Positive Behavior Support Plans](#). Other activities related to providing [positive behavior supports](#) to Individuals who experience intellectual or developmental disabilities do not qualify as experience under these criteria. Behavior Professionals who are enrolled, hired or promoted after January 1, 2021 must have a qualifying degree as described above- experience may not be substituted for a degree requirement. ODDS reviews all qualification materials submitted.

Quick Guide

Education	Experience
BCBA	1 year of experience providing positive behavior supports .
Master	1 year of experience providing positive behavior supports .
Bachelor	3 years of experience providing positive behavior supports .
No Qualifying Degree	6 years of experience delivering Professional Behavior Services gained prior to January 1, 2021.

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Becoming a Behavior Professional

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 a current, approved background check](#), and maintain [certification in an ODDS-Approved behavior intervention curriculum](#).

Background Check

Every person working as a [Behavior Professional](#) must meet the requirement described in [OAR 411-323-0050](#) and maintain a current approved background check identifying them as a Behavior Professional. A background check identifying the person as any role other than a Behavior Professional will not suffice. If a background check for the Behavior Professional expires, the Behavior Professional is no longer able to deliver services. Independent Providers and Agency Providers without a [Qualified Entity Designee](#) should work with their local [Brokerage](#) or [County Developmental Disabilities Program](#) to apply for their background check. Additional information about the Background Check Unit (BCU) can be found on their [website](#).

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](#). ODDS has one approved behavior intervention curriculum: The [Oregon Intervention System \(OIS\)](#). Behavior Professionals who intend to include Safeguarding Interventions in a [Positive Behavior Support Plan](#) must be certified at the appropriate level which would permit them to do so.

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Timelines for Qualifications

Every person doing the work of a [Behavior Professional](#) must meet the [education and experience qualifications](#) as well as [have a background check and be certified in an ODDS-Approved Behavior Intervention Curriculum](#). The timelines for meeting these vary depending on when the Behavior Professional began.

Existing Behavior Professionals

Any person previously enrolled as a [Behavior Professional](#) or working as a Behavior Professional for an agency prior December 1, 2017 must meet the [education and experience qualifications](#) as well as [have a background check and be certified in an ODDS-Approved Behavior Intervention Curriculum](#) upon renewal of their Provider Enrollment Application and Agreement or when the agency re-certifies and completes the endorsement to OAR 411-304.

Independent Providers: Any person enrolled as a [Behavior Professional](#) prior to December 1, 2017 must meet the education and experience qualifications as well as the have a background check and be certified in an ODDS-Approved Behavior Intervention Curriculum upon renewal of their Provider Enrollment Agreement (PEAA).

Agency Providers: Any person working as a Behavior Professional for an agency prior to December 1, 2017 must meet the [education and experience qualifications](#) as well as [have a background check and be certified in an ODDS-Approved Behavior Intervention Curriculum](#) when the agency re-certifies as a provider organization and completes the endorsement to OAR 411-304.

New Behavior Professionals

Any Independent Provider of [Professional Behavior Services](#) enrolling December 1, 2017 or later must meet the [education and experience qualifications](#) as well as have a [background check and be certified in an ODDS-Approved Behavior Intervention Curriculum](#) upon enrollment.

Any employee of an agency who is hired or promoted following the implementation of [OAR 411-304](#) (effective 12/1/17) must meet the education and experience qualifications as well as the as have a [background check and be certified in an ODDS-Approved Behavior Intervention Curriculum](#) upon hire or promotion.

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Co-Authorship and Oversight

When other employees are not fully qualified as a Behavior Professional, agency providers of [Professional Behavior Services](#) can hire or collaborate with a qualified [Behavior Professional](#) to oversee all work, co-author all [Temporary Emergency Safety Plans](#), [Functional Behavior Assessments](#), [Positive Behavior Support Plans](#), and provide oversight for the [maintenance](#) of a Positive Behavior Support Plan. Only one qualified Behavior Professional can be authorized or paid through eXPRS. When a qualified Behavior Professional provides oversight and co-authorship, the qualified Behavior Professional is also assuming responsibility that the work and product adhere to:

- the requirements set forth in [OAR 411-304](#); and
- best practice outlined in this Guide.

Re-enrollment, Re-Certification, Endorsement

Independent Provider

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

- A redacted ²copy of a [Temporary Emergency Safety Plan](#) and the [corresponding invoice](#). If the Behavior Professional has not yet written a TESP this should be made known at the time of submission of the renewal packet.
- A redacted ¹copy of a [Functional Behavior Assessment](#) and the [corresponding invoice](#).
- A redacted ¹copy of a [Positive Behavior Support Plan](#) and the [corresponding invoice](#).
- Proof of 12 hours of ongoing education in the field of positive behavior support services, adaptive behaviors, behavior management, or a related topic.³
- Certification in an [ODDS-Approved Behavior Intervention Curriculum](#).
- An approved [criminal history check](#) identifying the Independent Provider as a Behavior Professional.

² A redacted copy means a document that has been edited to assure that there is no information which might identify the Individual for whom the document was written.

³ Behavior Professionals should provide an explanation as to how the topic of the ongoing education positively impacts to their work as a Behavior Professional.

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Agency Provider

When an Agency Provider of [Professional Behavior Services](#) goes through their certification endorsement process, ODDS will request the following information for each person performing the duties of a Behavior Professional including:

- A redacted ¹copy of a [Temporary Emergency Safety Plan](#) and the [corresponding invoice](#). If the Behavior Professional has not yet written a TESP this should be made known at the time of submission of the renewal packet.
- A redacted ¹copy of a [Functional Behavior Assessment](#) and the [corresponding invoice](#).
- A redacted ¹copy of a [Positive Behavior Support Plan](#) and the [corresponding invoice](#).
- Proof of 12 hours of ongoing education in the field of positive behavior support services, adaptive behaviors, behavior management, or a related topic.²
- Certification in an [ODDS-Approved Behavior Intervention Curriculum](#).
- An approved [criminal history check](#) identifying the agency employee as a Behavior Professional.

24-Hour / Supported Living Provider

When a 24-Hour Residential or 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:

- A redacted ¹copy of a [Temporary Emergency Safety Plan](#). If the Behavior Professional has not yet written a TESP this should be made known at the time of submission of the renewal packet.
- A redacted ¹copy of a [Functional Behavior Assessment](#).
- A redacted ¹copy of a [Positive Behavior Support Plan](#).
- Proof of 12 hours of ongoing education in the field of positive behavior support services, adaptive behaviors, behavior management, or a related topic.²
- Certification in an [ODDS-Approved Behavior Intervention Curriculum](#).
- An approved [criminal history check](#) identifying the agency employee as a Behavior Professional.

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Becoming a Behavior Professional

Finding a Behavior Professional

ODDS maintains a [public database of Behavior Professionals](#) who are enrolled to provide [Professional Behavior Services](#) in any setting. This database is available for anyone to use.

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

What to ask - Availability

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.

What to ask – Safeguarding Interventions

If you believe that Safeguarding Interventions might be indicated make sure to ask if the Behavior Professional is certified to include Safeguarding Interventions in a [Positive Behavior Support Plan](#). While all Behavior Professionals must have a minimal level of education in an ODDS-Approved Behavior Intervention Curriculum, not all qualified Behavior Professionals are certified at a level permitting them to include Safeguarding Interventions in a Positive Behavior Support Plan. The only Behavior Professionals who can include any physical intervention must be certified through an ODDS-Approved Behavior Intervention Curriculum. The Services Coordinator or Personal Agent should ask the Behavior Professional if they are certified at the level necessary to include physical interventions or restraints if it is known or suspected that they may be indicated in a behavior plan.

Guide to Professional Behavior Services

Eligibility for Individuals and Authorization of Professional Behavior Services

Chapter 4 Eligibility for Individuals and Authorization of Professional Behavior Services

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's ISP team. For an Individual to be eligible to receive [Professional Behavior Services](#) the Individual must exhibit a [challenging behavior](#) for which a [functional alternative behavior](#) may be developed.

Functional Needs Assessment

Sometimes the Functional Needs Assessment does not capture the challenging behavior. When the Individual's team identifies a challenging behavior that could benefit from [Professional Behavior Services](#) that hasn't been captured by their Functional Needs Assessment the team can include the need for Professional Behavior Services in the [Individual's Support Plan](#) (ISP) and this can fulfill the eligibility requirement.

Functional Alternate Behavior

When a Functional Behavior Assessment (FBA) does not indicate the need for a [functional alternative behavior](#) then a [Positive Behavior Support Plan](#) 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 a [Functional Behavior Assessment](#) even when a Positive Behavior Support Plan is not indicated.

Eligibility for Individuals in a 24-Hour Residential or Supported Living Setting

Individuals choosing to reside in a 24-Hour Residential or Supported Living setting receive their [Professional Behavior Services](#) as part of the service package delivered by the residential agency and therefore no additional service may be elected in their Individual Support Plan (ISP) or authorized in eXPRS. An Individual may express a desire to have a Behavior Professional not employed by their 24-Hour Residential or Supported Living agency. Individuals may choose from amongst any [qualified](#) and enrolled provider.

The Individual may choose from amongst any [qualified](#) and enrolled Behavior Professional. If the Individual chooses to have the Behavior Professional employed through their 24-Hour or Supported Living agency, then that [agency must be endorsed](#) to [OAR 411-304](#).

Guide to Professional Behavior Services

Eligibility for Individuals and Authorization of Professional Behavior Services

Eligibility for individuals in an In-Home or Foster Care settings

For all Individuals enrolled in In-Home or Foster Care, when their ISP team agrees that there is a challenging behavior that could benefit from [Professional Behavior Services](#), it must be included in the ISP as a chosen service. [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#), [Positive Behavior Support Plan](#) or [maintenance](#) of the Positive Behavior Support Plan must be authorized in the Individual’s Support Plan (ISP) by the Services Coordinator or Personal Agent.

Identification of each portion of Professional Behavior Services

For each portion of Professional Behavior Services, the Services Coordinator or Personal Agent must identify the reason why the Individual could benefit from that portion of the service and the number of hours being requested by the Individual’s Support Plan team and authorized by the Services Coordinator or Personal Agent to provide that portion of the service. For example:

Chosen K plan services None selected

Service element: SE149 Support Services for Adults		
Service code: OR570-Behavior Consultation, Assessment and Training for DD		
Number of units: 2	Unit type: Event(s)	Per (frequency): Plan year
Authorized dates: <input checked="" type="checkbox"/> Same as plan effective dates		
Chosen provider type(s) and current rate(s) (PSW, non-PSW independent provider, provider organization, general business, etc.): Oscar has not yet chosen a Behavior professional. The Services Coordinator will work with Oscar and his team to choose a qualified and enrolled provider.		
List needs identified by the needs assessment that this service will address: Oscar needs a Temporary Emergency Safety Plan to address the immediate safety concern of physically aggression towards his PSW during transition times. The physical aggression is putting the PSW at risk of harm. The ISP team is authorizing up to eight hours for the development of a TESP. TESP must be completed and delivered within 15 days after the chosen Behavior Professional signs this ISP or the Service Agreement. Oscar needs a Functional Behavior Assessment to gain greater understanding of the underlying function of the physical aggression toward his PSW as well as to clarify other challenging behaviors outlined in the Known Risks section of this ISP. The ISP team is authorizing up to 10 hours for the development of the FBA. It is estimated that the development of the FBA will take 90 days following the delivery of the TESP. If the FBA indicates the need to develop a Positive Behavior Support Plan the ISP team will reconvene and a change form will indicate the need for a PBSP and authorize the hours for it's development as well as outline the estimated expected length of completion time.		
Person's preference on how this service is delivered: Oscar explained that it is important to have a Behavior Professional who understands Autism and someone who likes to discuss things over a cup of coffee. It is important to Oscar that the Behavior Professional be willing to meet with him at his own home. Oscar would really like the Behavior Professional to be a "guy who likes baseball since he is a Dodger fan".		

Guide to Professional Behavior Services

Eligibility for Individuals and Authorization of Professional Behavior Services

Known Risks

Identify and Describe Each Challenging Behavior

In the Known Risks section of the Individual's Support Plan (ISP) the Services Coordinator or Personal Agent must clearly articulate each known challenging behavior being 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, 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 Individual's Support Plan (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 Individual's Support Plan (ISP), the Services Coordinator or Personal Agent uses the drop-down boxes to describe the correct appropriate service for the Individual. In some cases, the Services Coordinator or Personal Agent may have to type in specific information that may not be included in a drop-down list.

OR 570

Code OR 570 should be selected to authorize a [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#). 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 [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or Positive Behavior Support Plan may not exceed 30 hours without a written [exception](#) from ODDS.

After selecting the correct code for the chosen service, the Services Coordinator or Personal Agent 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 Individual's Support Plan (ISP) team.

Guide to Professional Behavior Services

Eligibility for Individuals and Authorization of Professional Behavior Services

The three units of code OR 570 are the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#). No more than three units may be indicated. The sum of the [three units](#) of [Professional Behavior Services](#) may not exceed 30 hours without a written [exception](#) from ODDS.

The Unit type for Code 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.

The frequency for Code OR 570 is per plan year because an Individual may be eligible to receive a [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#) 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. This is the qualified and enrolled [Behavior Professional](#) who the Individual has selected to deliver the service.

For Code OR 570, unlike with other service elements, [specific rates](#) are not indicated on the Individuals Support Plan (ISP). The Services Coordinator or Personal Agent, (preferably in conjunction with the Behavior Professional who will be serving the Individual), should indicate the number of hours expected to be needed to complete each [event](#) as authorized by the team in the Individual’s Support Plan. Additional information about [rates](#) can be found in the [Expenditure Guidelines](#).

In the Chosen Provider section of the Individual’s Support Plan (ISP), the Services Coordinator or Personal Agent 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 Individual’s Support Plan, this section should provide clarity. The Services Coordinator or Personal Agent clarifies which Professional Behavior Services are authorized.

If a [Temporary Emergency Safety Plan](#) is needed, the Services Coordinator or Personal Agent must indicate the reason for the TESP and the number of hours authorized for its completion. The sum of the three units of [Professional Behavior Services](#) may not exceed 30 without a written [exception](#) from ODDS.

Guide to Professional Behavior Services

Eligibility for Individuals and Authorization of Professional Behavior Services

A [Functional Behavior Assessment is necessary for](#) every Individual receiving Professional Behavior Services. The Services Coordinator or Personal Agent must indicate the challenging behaviors requiring a FBA and identify the number of hours authorized for its completion. The sum of the three units of [Professional Behavior Services](#) may not exceed 30 without a written [exception](#) from ODDS.

The Functional Behavior Assessment will identify if a [Positive Behavior Support Plan](#) is needed. The Services Coordinator or Personal Agent must cite the Functional Behavior Assessment's rationale for the Positive Behavior Support Plan and identify the number of hours authorized for its completion. The sum of the three units of [Professional Behavior Services](#) may not exceed 30 without a written [exception](#) from ODDS.

It is essential that the Services Coordinator or Personal Agency document the Individual's preference on how [Professional Behavior Services](#) are delivered. Preferences may include desired specialization by the Behavior Professional, language, physical attributes, or other details that are expressed as important to the Individual in selecting a Behavior Professional and receiving Professional Behavior Services.

OR 310

Code OR 310 should be selected to authorize the [maintenance](#) of a [Positive Behavior Support Plan](#). 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 Code OR 310 should equal the number of hours authorized in the Individual's Support Plan (ISP) to maintain the Positive Behavior Support Plan during the Plan Year. The hours authorized in the ISP may not exceed the expenditure guidelines.

A Positive Behavior Support Plan will indicate the need for maintaining the plan. A Services Coordinator or Personal Agent can authorize up to 18 hours of maintenance based on Individual need in a plan year without a written [exception](#) from ODDS.

The unit type, frequency and authorized dates for Code OR 310 should be based on the needs of the Individual and clearly documented in the preferences section of the Individual's Support Plan (ISP).

Guide to Professional Behavior Services

Eligibility for Individuals and Authorization of Professional Behavior Services

The chosen provider is the qualified and enrolled [Behavior Professional](#) who the Individual has selected to deliver the service.

The Services Coordinator or Personal Agent documents the Individual's preference on how the [maintenance](#) of the [Positive Behavior Support Plan](#) is to be delivered. Preferences that may include specialization, language, physical attributes, or other details that are expressed as important to the Individual in selecting a Behavior Professional and receiving Professional Behavior Services.

Provider Panel

When authorizing a Behavior Professional to deliver Professional Behavior Services the Case Management Entity must add the Behavior Professional to their Provider Panel. [Directions](#) have been created by eXPRS.

Authorized in eXPRS

For all Individuals enrolled in In-Home or Foster Care, the Services Coordinator or Personal Agent must authorize [Professional Behavior Services](#) and [maintenance](#) of the [Positive Behavior Support Plan](#) [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 – Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#), Positive Behavior Support Plan.

eXPRS labels code OR 310 as *Behavior Support services*. Code OR 310 indicates [maintenance](#) of the Positive Behavior Support Plan.

Plan Line for Professional Behavior Services

The Services Coordinator or Personal Agent must open a Plan Line in Plan of Care and identify the [number of events](#) known to be needed. (A SuperUser can go back into eXPRS and edit this later). It would be anticipated that a TESP and an FBA may be authorized simultaneously, however the PBSP would not be authorized until after review and approval of the FBA.

The Services Coordinator or Personal Agent must create a Service Prior Authorizations (SPAs) for each event and:

Guide to Professional Behavior Services

Eligibility for Individuals and Authorization of Professional Behavior Services

- Identify the Behavior Professional chosen by the Individual to deliver that [event](#).
- Identify the Date Range expected for the completion of that [event](#).
- Identify the [not to exceed](#) dollar amount anticipated for the completion of that [event](#).

The Services Coordinator or Personal Agent 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.

Assuring that the plan meets rule

It is the responsibility of the Services Coordinator or Personal Agent to read the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#), [Positive Behavior Support Plan](#), assuring the document(s) meet the minimum requirements outlined in [OAR 411-304](#). Each document must include all requirements outlined in rule. The Services Coordinator or Personal Agent 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 Services Coordinator or Personal Agent must notify the Behavior Professional of the document's non-compliant status. The Services Coordinator or Personal Agent should review the Service Agreement assuring that the requirements for the delivery of Professional Behavior Services was not met. The Services Coordinator or Personal Agent is expected to collaborate with the Behavior Professional in this process. If the Services Coordinator or Personal Agent finds that collaboration with the Behavior Professional does not yield a document that meets the requirements outlined in [OAR 411-304](#), please contact the [ODDS Professional Behavior Supports Subject Matter Expert](#) for assistance.

Professional Behavior Services is an [event based service](#). A Behavior Professional who delivers a [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#) 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 resolve the discrepancies with the Services Coordinator or Personal Agent in [releasing a pending payment](#), they should file a complaint with the Case Management Entity.

Incomplete Events

If a Behavior Professional is not able to complete a [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#) the Behavior Professional should submit to the Services Coordinator or Personal Agent an [invoice](#)

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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 Services Coordinator or Personal Agent 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 Services Coordinator or Personal Agent and the role of a [Behavior Professional](#) are different. Therefore, the focus of the professional roles may look different. It is essential that the Services Coordinator or Personal Agent and the Behavior Professional create a collaborative environment by working together to best serve the Individual.

Planning around Service Limits

OR 570

The sum of the [three units](#) of [Professional Behavior Services](#) may not exceed 30 hours without a written [exception](#) from ODDS. The three units that can be authorized under eXPRS procedure code OR 570 are the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#). Additional information can be found in the [Expenditure Guidelines](#).

OR 310

A [Positive Behavior Support Plan](#) must indicate why there is a need for [maintaining](#) the plan. The Individual's Support Plan (ISP) team should discuss the Behavior Professionals recommendation for maintenance of the Positive Behavior Support Plan. If the team agrees that maintaining the plan is necessary, an ISP team can authorize up to 18 hours of maintenance in a plan year without a written [approval](#) from ODDS. The need for maintenance of the PSBP must be both documented in the PBSP as well as discussed by the ISP team and updated in the ISP. The need to maintain a PBSP must be based on the Individual's needs

Exceptions

When an Individual's needs require a greater amount of Professional Behavior Services hours than what may be authorized by the Services Coordinator or Personal Agent, an exception based on the Individual's need may be requested from ODDS.

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Eligibility for Individuals and Authorization of Professional Behavior Services

Rates

The ODDS rate setting process is currently underway, and these rates are expected to change. The rates in place upon authorization of Professional Behavior Services in the Individual's Support Plan (ISP) will remain in effect through the end of the [authorized service timeline](#) in eXPRS. Rates are referenced in the ODDS Expenditure Guidelines

Upon completion of the [event](#), the Behavior Professional must deliver the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#) along with the corresponding invoice to the Services Coordinator or Personal Agent. 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 Individual's Support Plan (ISP) and eXPRS for the specific event.

When a Behavior Professional is less than 70 miles from the Individual's home the Behavior Professional is compensated at a rate of \$80/hour.

When a Behavior Professional is more than 70 miles from the Individual's home the Behavior Professional is compensated at a rate of \$100/hour.

Additional information about rates can be found in the [Expenditure Guidelines](#).

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Eligibility for Individuals and Authorization of Professional Behavior Services

Approving an Invoice

Invoiced amounts cannot exceed the hours authorized for the specific event in the Individual's Support Plan and eXPRS. Should the Behavior Professional identify that the time authorized in the Individual's Support Plan (ISP) is not sufficient to complete the [event](#), the ISP team may be consulted and the Services Coordinator or Personal Agent may update the ISP using the [change form](#) if the Individual and team support the request for additional hours.

An invoice must include:

- There is additional information about invoicing requirements available in the [Invoice Requirement Worker Guide](#).
- 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. When the service was delivered using [telecommunications technology](#) the method of how the service was delivered must be documented in the invoice.
- Length of time required for the service on that date, including start and end times. Services must be for a minimum of 15 minutes to be billed.
- Description of the service delivered on each date. An invoice for [maintenance](#) of a [Positive Behavior Support Plan](#) must identify that the description of the services aligns with the Individual's Support Plan (ISP).
- To whom the service was delivered on each date.

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 lead [qualified](#) and enrolled Behavior Professional who authored the document being invoiced.

An invoice may include collaboration with the Services Coordinator or Personal Agent, [Designated Person](#) or others integral to the completion of the [event](#). An invoice may include time for the creation of the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#), [Positive Behavior Support Plan](#) or updating the Positive Behavior Support Plan during [maintenance](#).

An invoice may not include travel time.

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Eligibility for Individuals and Authorization of Professional Behavior Services

Releasing pending payment

Once the Services Coordinators or Personal Agents identifies that the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#) 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 and released then the drafted amount can be adjusted.

Standard and Underserved 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 “underserved” counties, [Behavior Professionals](#) must travel to provide the Individuals residing in these counties with [Professional Behavior Services](#).

When a Service Coordinator or Personal Agent [authorizes Professional Behavior Services](#) in an Individuals’ 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](#).

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Eligibility for Individuals and Authorization of Professional Behavior Services

Standard Counties

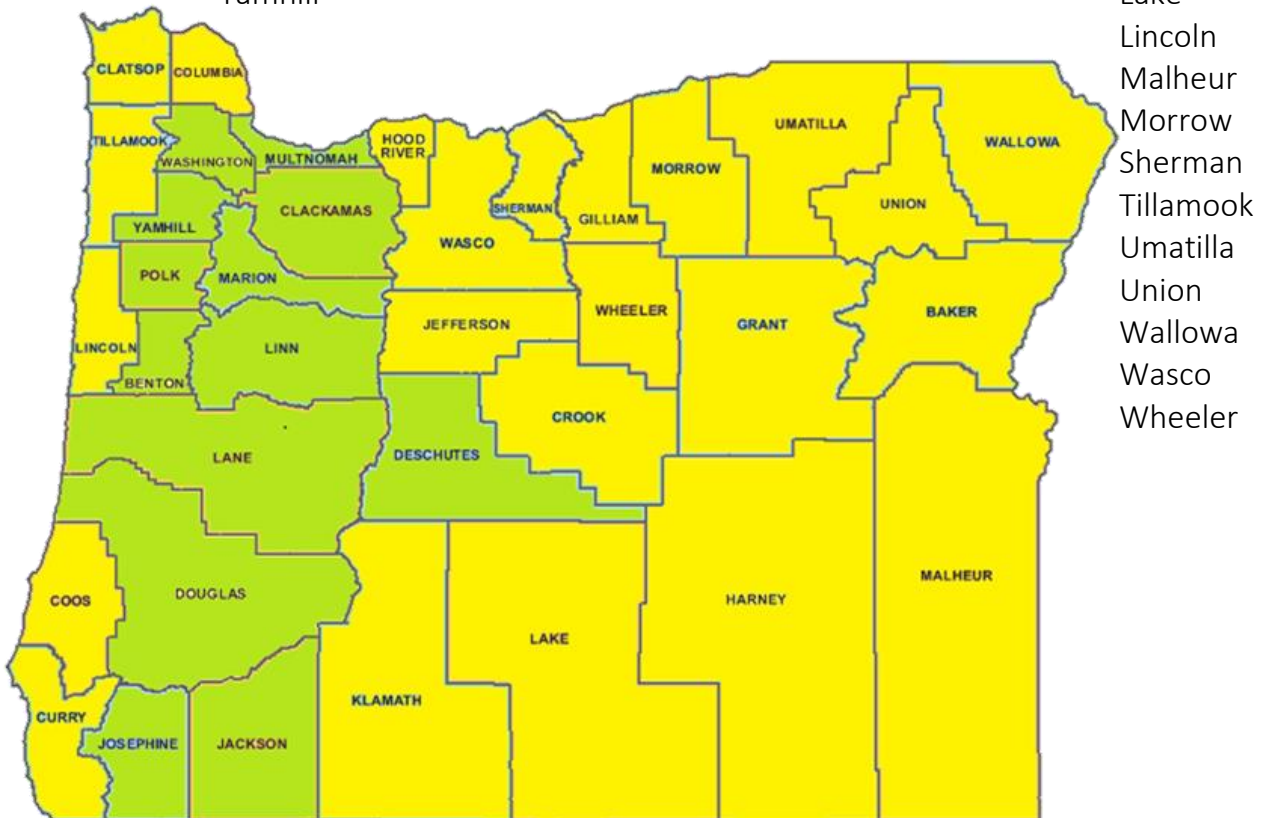
OR570-ST and OR310-ST

Benton
Clackamas
Deschutes
Douglas
Jackson
Josephine
Lane
Linn
Marion
Multnomah
Polk
Washington
Yamhill

Underserved Counties

OR570-RU and OR310-RU

Baker
Clatsop
Columbia
Coos
Crook
Curry
Gilliam
Grant
Harney
Hood River
Jefferson
Klamath
Lake
Lincoln
Malheur
Morrow
Sherman
Tillamook
Umatilla
Union
Wallowa
Wasco
Wheeler



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Eligibility for Individuals and Authorization of Professional Behavior Services

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 Services Coordinator or Personal Agent 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.
- There exists a language barrier, requiring the use of an interpreter or translator. There is no incentivized compensation for delivering Professional Behavior Services in another language. An exception cannot be granted if translation or interpretation services are not required. Translation or interpretation services are required to overcome a language barrier between the Individual and their behavior professional.
- The Individual resides in a [24-Hour or Supported Living setting and behavior supports are needed to address other settings, such as the addition of an employment setting](#), (during which time the Individual is not expected to be supported by the 24-Hour or Supported Living provider), such as integrated employment.

Process

When an Individual's needs require [Professional Behavior Services](#) beyond 30 hours, the Services Coordinator or Personal Agent may request an exception using the [exceptions 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 Temporary Emergency Safety Plan, Functional Behavior Assessment, Positive Behavior Support Plan and the corresponding invoice.

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24-Hour Residential or Supported Living setting exceptions

Individuals who choose to reside in a 24-Hour Residential or Supported Living setting receive their Professional Behavior Services as part of the service package delivered by the residential agency. An Individual may express a desire to have a Behavior Professional not employed by their 24-Hour Residential or Supported Living agency. Individuals may choose from amongst any [qualified](#) and enrolled or endorsed provider. The 24-Hour Residential or Supported Living setting receives compensation to deliver Professional Behavior Services within their setting and the community. If the Individual engages in other settings where the residential setting provider is not expected to provide supports (for example competitive, integrated employment), then the Services Coordinator may need to request an exception to have Professional Behavior Services expanded.

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The Components of Professional Behavior Services

Chapter 5 The Components of Professional Behavior Services

The Professional Behavior Service element consists of four components under two billing codes:

Billing Code	Professional Behavior Service Event
OR 570	Temporary Emergency Safety Plan (TESP) , when needed
OR 570	Functional Behavior Assessment (FBA)
OR 570	Positive Behavior Support Plan (PBSP) , when indicated by the Functional Behavior Assessment
OR 310	Maintenance of the Positive Behavior Support plan, when indicated in the Positive Behavior Support Plan.

Timelines for Compliance to the new rule

Any Professional Behavior Services delivered after January 1, 2018 must comply with these requirements.

Existing plans should be reviewed by the Individual's Support Plan (ISP) team every 12 months. If the existing [Positive Behavior Support Plan](#) is seen to be meeting the Individual's needs there is no need to change the plan.

When the Individual's Support Plan (ISP) team identifies that something in the plan needs to be updated, modified, changed, or amended, then the entire plan must be written to full compliance with these requirements.

Professional Behavior Service Exclusions

Behavior Professionals cannot modify a medical order directing the use of safeguarding equipment or a safeguarding intervention without the express written permission of the medical professional authoring the medical order.

Professional Behavior Services do not include Hippotherapy (equine therapy), dance or movement therapy or music therapy. Oregon's Health Systems Division (HSD) may be able to pay for activity therapy which includes music therapy when billed with a covered diagnosis. These services are not included in the array of Professional Behavior Services.

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The Components of Professional Behavior Services

Professional Behavior Services cannot be authorized:

- If they are available through alternative resources or private insurance because Medicaid is always payer of last resort.
- For any activity not directly related to the development, implementation, or maintenance of an Individual's Positive Behavior Support Plan.
- For the sole purpose to create or augment social stories. Social stories may be written as part of the development of the [Positive Behavior Support Plan](#) and may be augmented as part of [maintenance](#) of the plan.
- To include sex offender treatment. [Sex offender treatment](#) is outside a Behavior Professional's scope of practice. Clinical sex offender therapists provide services for the treatment and rehabilitation of sex offenders. They must have a minimum of a master's degree in the behavioral sciences and an active Oregon mental health professional license. A Behavior Professional may create a Positive Behavior Support Plan for an Individual displaying sexually mal-adaptive behaviors so that the [Designated Persons](#) can better provide [behavior supports](#) to the Individual.
- For speech and language pathology. Speech-language pathologists (SLPs) work to prevent, assess, diagnose, and treat speech, language, social communication, cognitive-communication, and swallowing disorders in children and adults. A [Speech and Language Pathologist](#) might also be qualified and enrolled to deliver Professional Behavior Services but the service of Speech and Language Pathology is outside the scope of practice in this service element.
- Professional Behavior Services do not include vocational rehabilitation services. [Vocational Rehabilitation Services](#) work in partnership with the community and businesses to provide services that are Individualized to help each eligible person receive services that are essential to their employment success. Professional Behavior Services may be authorized for an Individual in a competitive, integrated employment setting.
- 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 gain greater understanding of how the Individual's experience in that setting may be affecting their behaviors in the home and community.
- To deliver Community Living Supports as described in [OAR 411-450](#). While a Behavior Professional may also be enrolled to provide Community Living Supports, this is a separate service element.

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The Components of Professional Behavior Services

- To treat a mental health condition, alcohol or substance abuse treatment, therapy, counseling family therapy or sibling interaction counseling. These services may be available through the Individual's health plan.
- To deliver general education for family caregivers, educational seminars, or classroom trainings. This service may be available through Family Training. More information about Family Training is available in the [Expenditure Guidelines](#).
- Professional Behavior Services do not include money or resource management.

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Temporary Emergency Safety Plan (TESP)

Chapter 6 Temporary Emergency Safety Plan (TESP)

A Temporary Emergency Safety Plan is a proactive support for the [Designated Persons](#) to follow to help mitigate an unsafe situation while the [Functional Behavior Assessment](#) and [Positive Behavior Support Plan](#) are being completed. If a Temporary Emergency Safety Plan is authorized then a Functional Behavior Assessment must be completed.

Temporary Emergency Safety Plans 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 [Functional Behavior Assessment](#) is being completed. TEPs are a short-term tool and should only be in place for 90-days or less.

Temporary Emergency Safety Plans may not include any new [Safeguarding Interventions](#). Safeguarding Interventions must be based on a [Functional Behavior Assessment](#) and only included in the emergency-crisis section of the [Positive Behavior Support Plan](#).

Requirements

All of the information identified by [rule](#) is required in every Temporary Emergency Safety Plan. 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.

Timelines

Temporary Emergency Safety Plans are authorized to mitigate an urgent situation. Therefore, the [Behavior Professional](#) must deliver a Temporary Emergency Safety Plan (TESP) to an Individual, their [Designated Persons](#), and the Services Coordinator or Personal agent no later than 15 days after the behavior professional agrees to deliver [Professional Behavior Services](#) by signing the ISP or Service Agreement.

The Temporary Emergency Safety Plan expires in 90-day. The Services Coordinator or Personal Agent may reconvene the Individual's Support Plan (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 Temporary Emergency Safety Plan. The expiration date can only be extended once, allowing for the Temporary Emergency Safety Plan to remain valid for six months. The one-time extension of the

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Temporary Emergency Safety Plan (TESP)

Temporary Emergency Safety Plan must be documented in an ISP [change form](#). These timeline requirements and expected completion date should be [included in the Individuals Support Plan \(ISP\)](#).

In exceptional situations where the Temporary Emergency Safety Plan needs to be extended beyond six months the Services Coordinator or Personal Agent may request a variance. Variances should be submitted to the [ODDS Subject Matter Expert](#) using the [Variance Form – 6001](#) which can be found on the [Oregon DHS Forms Server](#).

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Functional Behavior Assessment (FBA)

Chapter 7 Functional Behavior Assessment (FBA)

A Functional Behavior Assessment identifies the purpose of or reason for the challenging behavior displayed by the Individual. The Functional Behavior Assessment should clarify the challenging behavior and identify how that behavior is impacted by the diagnosed intellectual or developmental disability.

Timelines

The rule does not have specific timeline requirements for the completion of a Functional Behavior Assessment.

The Individual Support Plan (ISP) must document the [hours authorized](#) to complete the Functional Behavior Assessment. The Behavior Professional may not invoice for more hours than was authorized in the plan. The Services Coordinator or Personal Agent should establish and document the estimated length of time needed to complete the Functional Behavior Assessment in the Individual's Support Plan (ISP). Most Functional Behavior Assessments will take 90 days to complete. However, the time needed to complete the Functional Behavior Assessment 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, Services Coordinator or Personal Agent, and Behavior Professional should remain in communication around the length of time needed to complete the Functional Behavior Assessment.

The Functional Behavior Assessment timeline cannot exceed the Individual's Support Plan (ISP) timeline unless it is authorized again in the next plan year. If the span of time to complete a Functional Behavior Assessment extends beyond the Individual's plan year then the service will need to be authorized again in the following ISP.

Requirements

All of the information identified by [rule](#) is required in every Functional Behavior Assessment. 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 B](#) for an easy reference FBA checklist.

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Positive Behavior Support Plan (PBSP)

Chapter 8 Positive Behavior Support Plan (PBSP)

A Positive Behavior Support Plan 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).

Timelines

The rule does not have specific timeline requirements for the completion of a Positive Behavior Support Plan.

The Individual Support Plan (ISP) must document the [hours authorized](#) to complete the Functional Behavior Assessment. The Behavior Professional may not invoice for more hours than was authorized in the plan. The Behavior Professional may not invoice for hours not provided. The Services Coordinator or Personal Agent should establish and document the estimated length of time needed to complete the Positive Behavior Support Plan in the Individual's Support Plan (ISP). Most Positive Behavior Support Plans will take 45 days to complete. However, the time needed to complete the Positive Behavior Support Plan 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, Services Coordinator or Personal Agent, and Behavior Professional should remain in communication around the length of time needed to complete the Positive Behavior Support Plan.

The Positive Behavior Support Plan timeline cannot exceed the Individual's Support Plan (ISP) year in which the service is authorized. If the span of time to complete a Positive Behavior Support Plan extends beyond the Individual's plan year then the service will need to be authorized again in the following ISP.

Requirements

All the information identified by [rule](#) is required in every Positive Behavior Support Plan. 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.

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Safeguarding Interventions

Chapter 9 Safeguarding Interventions

Certification requirements

Only Behavior Professionals who have the appropriate level of certification in an [ODDS-Approved Behavior Intervention Curriculum](#) can author Safeguarding Interventions.

Services Coordinators or Personal Agents should [verify that the Behavior Professional](#) is certified to author Safeguarding Interventions when searching for a qualified Behavior Professional by reading the certification or letter issued by the ODDS-Approved Behavior Intervention Curriculum

Emergency Crisis Strategies in Positive Behavior Support Plans

Any intervention meeting the definition of restraint as outlined in [OAR 411-004](#) must be a [Safeguarding Interventions](#) and may only be included as an [emergency crisis strategy](#) in a Positive Behavior Support Plan.

Restraints are anything that:

- 1) Holds someone in place, including a physical or mechanical device, material, or equipment; and
- 2) Is attached to or next to the Individual's body that the Individual cannot easily remove; and
- 3) The Individual shows resistance to following its application.

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

Physical Positioning

Physical Positioning is when a designated person uses body positioning for the purpose of preventing access to an area, item, person, activity, etc.

Physical Positioning is not a restraint as it does not manually hold an Individual in place. The Individual is free to go in any direction except the unsafe one.

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

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Safeguarding Interventions

Less intrusive measures

The Behavior Professional must document any less invasive actions which have determined to be ineffective or inappropriate for the Individual.

Documentation requirements

The Positive Behavior Support Plan 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.
- A recommended schedule for the Designated Persons to practice the Safeguarding Interventions.

No-No, Never-Never!

Safeguarding Interventions may never:

- Intentionally cause someone to lose their dignity;
- Include any bribery or threats;
- Be imposed as a penalty or retribution;
- Include a painful stimulus;
- Associate noxious stimuli with the challenging behavior;
- Cause an Individual to lie face down or face up;
- Be for the convenience of the Designated Person.
- Include a component of forced compliance.

Measure of Last Resort

A [Behavior Professional](#) may only include a Safeguarding Intervention in a Positive Behavior Support Plan 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.

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Safeguarding Interventions

This means that the Positive Behavior Support Plan 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 Positive Behavior Support Plan 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.

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 Positive Behavior Support Plan 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 Positive Behavior Support Plan 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 Positive Behavior Support Plan 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 Positive Behavior Support Plan.

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

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Safeguarding Interventions

“lead” Behavior Professional when they collaborate with another person who is certified to author Safeguarding Interventions or Emergency Physical Restraints in a Positive Behavior Support plan. Only the “lead” Behavior Professional can be authorized in eXPRS and paid. 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 Positive Behavior Support Plan 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 Services Coordinator or Personal Agent will only [authorize](#) the lead Behavior Professional as the provider in the Individual’s Support Plan (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 Services Coordinator or Personal Agent 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.

[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. Safeguarding Interventions arising from or to address a behavioral need must be authored by a [qualified](#) Behavior Professional as an [emergency crisis strategy](#) in a Positive Behavior Support Plan.

If the need for the Safeguarding Intervention is both medical and behavioral the Services Coordinator or Personal Agent should assure that the Safeguarding Intervention reflects collaboration by both the medical provider and the qualified Behavior Professional. This should be documented in the Positive Behavior Support Plan. The Services Coordinator or Personal Agent 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.

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Safeguarding Interventions

Written permission to modify the physical intervention must be attached to the PBSP. Services Coordinators or Personal Agents must not authorize any Positive Behavior Support Plan containing any maneuver, technique or intervention that might have restraining qualities without confirming that it is included in an ODDS-Approved Behavior Intervention Curriculum. See Appendix F for more information. The Services Coordinator or Personal Agent may request the Behavior Professional identify where the Safeguarding Intervention is included in the curriculum. A Services Coordinator or Personal Agent 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 Positive Behavior Support Plan 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](#) for restraint in accordance with [OAR 411-004-0040](#) and [OAR 411-415-0070](#).

When a Behavior Professional includes a Safeguarding Intervention in a Positive Behavior Support Plan, the Services Coordinator or Personal Agent will go through the [Individually Based Limitations Process](#). If the Individual consents to the Safeguarding Intervention by signing the Individually Based Limitation 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 Individually Based Limitation form, the Designated Persons does not have permission to use the Safeguarding Intervention unless there is imminent risk to the Individual or others and therefore an Emergency Restraint may be necessary. The Emergency Restraint may be the same Safeguarding Intervention as identified in the Positive Behavior Support plan, yet if it is not agreed to, it may only be applied in emergency situations.

The Behavior Professional should not alter the Positive Behavior Support Plan if the Safeguarding Intervention is not consented to through the Individually Based Limitations 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.

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Maintenance

Chapter 10 Maintenance

When the [Behavior Professional](#) identifies that the [Positive Behavior Support Plan](#) will need ongoing maintenance and the Individual elects to receive the service, the Individual's Support Plan (ISP) must document this as a [chosen service](#). The maintenance of a Positive Behavior Support Plan must be provided by a [qualified](#) Behavior Professional. The Behavior Professional providing maintenance of the Positive Behavior Support Plan may be a provider different from the Behavior Professional who authored the plan.

The ISP must clearly document why the Positive Behavior Support 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](#);
- 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 Positive Behavior Support Plan;
- Training to the newly identified Designated Persons due to a high rate of change in caregivers;
- [Safeguarding Interventions](#) included in the Positive Behavior Support Plan require routine [practice](#) and the Behavior Professional is needed to provide this through training.

Timelines

The Individual Support Plan (ISP) should document the [hours authorized](#) to maintain the Positive Behavior Support Plan. The Behavior Professional may not invoice for more hours than authorized in the ISP. The Services Coordinator or Personal Agent must clarify the estimated length of time needed to maintain the Positive Behavior Support Plan. The estimated time cannot exceed the Individual Support Plan (ISP) year in which the service was authorized.

Requirements

The Individual Support Plan (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 Positive Behavior Support Plan to reflect new information and insights acquired during the

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Maintenance

maintenance phase of Professional Behavior Services if applicable. The Behavior Professional must provide the updated plan to the Individual, Family, Designated Persons, and the Services Coordinator or Personal Agent.

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

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Invoicing, Billing, and Compensation

Chapter 11 Invoicing, Billing, and Compensation

Prior to the delivery of [Professional Behavior Services](#) the Services Coordinator or Personal Agent would have [authorized](#) the [event](#) in the Individual's Support Plan (ISP) and created a Plan Line and Service Prior Authorization in [eXPRS](#).

If the Behavior Professional identifies that the hours authorized are not sufficient to complete an [event](#) (based on the Individual's unique needs or situation), the Behavior Professional should communicate this to the Services Coordinator or Personal Agent. A change can be discussed and if a change in hours is agreed upon, the change must be documented with a [change form](#) to amend the Individual's Support Plan (ISP).

[24-Hour and Supported Living Settings](#)

Individuals who choose to reside in a 24-Hour Residential or Supported Living setting 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 employed by their 24-Hour Residential or Supported Living agency. Individuals may choose from amongst any [qualified](#) and enrolled provider.

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Invoicing, Billing, and Compensation

Planning within the Service Limits

OR 570 – 30 Hours in a Plan Year

The sum of the [three units](#) of [Professional Behavior Services](#) may not exceed 30 hours in a plan year without a written [exception](#) from ODDS. The three units of code OR 570 are the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#).

OR 310 – 18 Hours in a Plan Year

A Positive Behavior Support Plan must indicate the need for [maintaining](#) the plan. An ISP team may authorize up to 18 hours of maintenance in a plan year without a written [exception](#) from ODDS.

Invoice and Billing Instructions

Upon completion of the [event](#), the Behavior Professional must deliver the [Temporary Emergency Safety Plan](#), [Functional Behavior Assessment](#) or [Positive Behavior Support Plan](#) along with the corresponding invoice to the Services Coordinator or Personal Agent. The Behavior Professional who authored the document will invoice by multiplying their [rate](#) by the number of hours [invoiced](#) for that event. The hours may not exceed the hours authorized in the Individual's Support Plan (ISP) and eXPRS.

When the home office of a Behavior Professional is less than 70 miles from the Individual's residence, the Behavior Professional is compensated at a rate of \$80/hour.

When the home office of a Behavior Professional is more than 70 miles from the Individual's residence, the Behavior Professional is compensated at a rate of \$100/hour.

Additional information about rates can be found in the [Expenditure Guidelines](#)

What must be included on an invoice

- 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. When the service was delivered using [telecommunications technology](#) the method of how the service was delivered must be documented in the invoice.

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Invoicing, Billing, and Compensation

- Length of time required for the service on that date, including start and end times. Services must be for a minimum of 15 minutes to be billed.
- Description of the service delivered on each date. An invoice for [maintenance](#) of a Positive Behavior Support Plan must identify that the description of the services aligns with the Individual's Support Plan (ISP).
- To whom the service was delivered on each date.

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Professional Behavior Services Standards of Practice

Chapter 12 Professional Behavior Services Standards of Practice

[OAR 411-304](#) outlines standards of practice for all [Behavior Professionals](#) in all settings.

Release of Information

The Services Coordinator or Personal Agent 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

All [Behavior Professionals](#) must maintain the confidentiality of the Individual being served as outlined in the provider enrollment agreement. The Behavior Professional must also adhere to the [Federal HIPAA standards](#) for any written, verbal, digital, video, or electronic information. Additional information about maintaining confidentiality can be found in the Department's rules for privacy and confidentiality in [OAR 407-014](#).

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 Services Coordinator or Personal Agent 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 Services Coordinator or Personal Agent 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](#). If a Behavior Professional is supporting an individual in a dual capacity, the individual's Service Planning (ISP) Team should help find alternate providers by October 31, 2018. By this date, behavior professionals may not be providing multiple services to the same

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Professional Behavior Services Standards of Practice

individual. In situations where it is advantageous for the Individual to have a provider deliver more than one service, the Services Coordinator or Personal Agent may request a variance clearly outlining how the Individual benefits from having the Behavior Professional act in a dual capacity.

In exceptional situations where it is advantageous for the Individual to have a provider deliver more than one service element the Services Coordinator or Personal Agent may request a variance clearly outlining how the Individual benefits from having the Behavior Professional act in a dual capacity.

Variances should be submitted using the Variance [Form – de6001](#) which can be found on the [Oregon DHS Forms Server](#).

Professional Relationships

[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.

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Using Telecommunications Technology

Chapter 13 Using Telecommunications Technology

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

The communication delivery system must be secure in alignment with [Oregon Department of Human Services privacy procedures](#). All communication containing any personal protected information must be securely transferred only with an [authorized release of information consented to by the Individual](#). Only real-time interactive communication strategies are permitted.

When an Individual, [Designated Persons](#), the Services Coordinator or Personal Agent, 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 Services Coordinator or Personal Agent, and the Behavior Professional.

The [preferences](#) section of the Individuals Support Plan (ISP) must document the Individual's preference to have Professional Behavior Services delivered using Telecommunications Technology. This should clarify which portions of Professional Behavior Services would be delivered using telecommunications technology, the technology being approved and the amount of services that can be delivered using telecommunications technology.

Limitations

[Professional Behavior Services](#) cannot be solely delivered through [Telecommunications Technology](#). 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.

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Positive Behavior Supports

Chapter 14 Positive Behavior Supports

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

Professional Behavior Services include [only](#):

- The creation of a [Temporary Emergency Safety Plan](#) (when one is needed);
- The creation of a [Functional Behavior Assessment](#);
- The creation, implementation and the initial training of the [Positive Behavior Support Plan](#) when the Functional Behavior Assessment indicates the need for a functional alternative behavior; and
- [Maintaining](#) the Positive Behavior Support Plan when that plan indicates the need for maintenance.

Universal requirements

The delivery of [Positive Behavior Supports](#) are clarified in the [rule specific to](#) the Designated Person. It is the responsibility of the Designated Person to know and understand the rule. Each [rule](#) governing the role of the provider outlines the responsibility of the Designated Person to report the use of a Safeguarding Intervention.

The rule specific to the [Designated Persons](#) who are Personal Support Workers is OAR 411-375 (Independent Providers Delivering Developmental Disabilities Services).

The rule specific to the Designated Persons who are employed by a licensed or certified provider or agency include:

- [411-325](#) (24-Hour Residential Programs and Settings for Children and Adults with Intellectual or Developmental Disabilities)
- [411-328](#) (Supported Living Programs for Adults with Intellectual or Developmental Disabilities)
- [411-345](#) (Employment Services for Individuals with Intellectual or Developmental Disabilities)
- [411-346](#) (Foster Homes for Children with Intellectual or Developmental Disabilities)
- [411-360](#) (Adult Foster Homes for Individuals with Intellectual or Developmental Disabilities)
- [411-450](#) (Community Living Supports)

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.

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Positive Behavior Supports

Freedom from restraint

All Individuals in every setting are assured freedom from restraint by [Federal Rule](#), [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 [Positive Behavior Support Plan](#) 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 [Individually Based Limitations 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.

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.

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 Individuals aged 18 or older, as well as any other person may not use any technique that has restraining qualities unless it

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Positive Behavior Supports

meets the requirements for the use of [Safeguarding Interventions](#) and [physical restraints used in an emergency](#).

Data Tracking is required

All [Designated Persons](#) are required to maintain behavior data tracking using the data collection system identified in the [Positive Behavior Support Plan](#). 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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Individually Based Limitations Process

Chapter 15 Individually Based Limitations Process

ODDS must adhere to the Federal [Home and Community Based Services \(HCBS\)](#) regulations. HCBS regulations assure all Individuals in all settings are free from restraint and involuntary seclusion.

When a Positive Behavior Support Plan's recommended strategies to maintain the safety of the Individual or others, includes [Safeguarding Interventions](#) or [Safeguarding Equipment](#) the Services Coordinator or Personal Agent, along with the Individual's Support Plan team, must apply the [Individually Based Limitations \(IBL\) Process](#).

Positive Behavior Support Plan strategies should be reflective of Individual preferences wherever possible. There may be situations when the Individual's preferences differ from the interventions recommended in the plan. The Positive Behavior Support Plan should document when recommended strategies conflict with Individual's preferences, if conflicts are known.

All Positive Behavior Support Plans including Safeguarding Interventions must provide an acknowledgement [statement](#) indicating that the plan includes interventions that have restraining qualities and these interventions cannot be used without consent from the Individual (or their guardian or representative) unless the Individual or others are at imminent risk of harm in an emergency situation.

If the Individual consents to the specific Individually-Based Limitation, then the Safeguarding Intervention may be implemented by the [Designated Persons when necessary](#).

If the Individual does not consent to the Safeguarding Intervention identified in the Positive Behavior Support Plan and IBL discussion, then the Safeguarding Intervention may not be implemented, unless there is imminent risk of harm to the Individual or others in an emergency situation. The physical intervention would then be considered an [Emergency Use of Physical Restraints](#) and appropriate reporting requirements must be followed.

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Individually Based Limitations Process

If an individual does not agree or consent to the Positive Behavior Support Plan, the Positive Behavior Support Plan should not be altered and the recommended strategies should remain in the Positive Behavior Support Plan. The recommended Safeguarding Interventions now become emergency physical restraints. This way the emergency physical restraints may be trained so that if they need to be implemented as an [Emergency Use of Physical Restraints, the Designated Person is already aware and trained on the intervention](#). Any time there is an Emergency Use of Physical Restraints, appropriate reporting requirements must be followed.

Although not required by rule, it is recommended that after the Individually Based Limitations Form is completed (regardless of agreement or disagreement) that it be attached to the Positive Behavior Support Plan to provide clarity as to if the Safeguarding Intervention was consented to.

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ODDS Assistance

Chapter 16 ODDS Assistance

Anyone can reach out with questions, comments or to have a conversation.

The ODDS Subject Matter Expert is:

Kirsten Collins

Kirsten.G.Collins@state.or.us

503-381-3515

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Appendixes

Chapter 17 Appendixes

In the appendixes you can find different examples of invoices for each event of Professional Behavior Services. You'll also find a checklist for the required components of each document; the TESP, FBA and PBSP. Please note that the invoice example is not a required format.

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Appendixes

Appendix A – TESP Checklist

The Temporary Emergency Safety Plan should be a document that clearly explains the current situation requiring an emergency safety plan. If the required information is unavailable the Behavior Professional should indicate why the information is unavailable.

- Clarify the need for a Temporary Emergency Safety Plan. The Behavior Professional should clearly document the nature of the emergency identified by the Individual's Support Plan (ISP) Team as needing a Temporary Emergency Safety Plan.
- A Temporary Emergency Safety Plan expires in 90 days. The Behavior Professional should clearly document the nature of the emergency identified by the Individual's Support Plan (ISP) Team as needing a Temporary Emergency Safety Plan.
- Documentation of the challenging behavior(s) is clearly articulated. The Behavior Professional should identify the nature of the behaviors contributing to the urgent situation, including, the duration of the behavior, the frequency of the behavior, the severity of the behavior and the intensity of the challenging behavior when known.
- Environments or environmental factors likely to be associated with, or to trigger, the challenging behavior must be clearly explained. The Behavior Professional should document how the environment may contribute to the crisis requiring a Temporary Emergency Safety Plan (TESP).
- Any known conditions that impact an Individual's physical functioning must be plainly documented in the Temporary Emergency Safety Plan, as well as, an explanation as to how the physical condition contributes to the emergency requiring a Temporary Emergency Safety Plan.
- 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 Temporary Emergency Safety Plan.
- 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

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Appendixes

Individual from the Designated Persons. The 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 Individually-Based Limitation as required by [OAR 411-415-0070](#) and [OAR 411-004-0040](#). A Temporary Emergency Safety Plan does not establish any new Individually-Based Limitations.

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

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 Services Coordinator or Personal Agent within 24 hours of the application of an emergency crisis strategy or any physical restraint.

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Appendixes

Appendix A1 – Sample TESP Invoice

This is an example of an invoice. In this illustration, you will note that attempts to contact the identified provider for the Individual are listed. This is listed as an example of best practice but not a rule requirement. Identifying attempted contacts helps the Services Coordinator or Personal Agent better understand why an expected due date might not be met.



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

**Temporary Emergency
Safety Plan** 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	Behavior Professional	Description of Service Provided and to Whom Service was Provided	Location of Service	Start Time	End Time	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

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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
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
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: <u></u> Date Invoice and Temporary Emergency Safety Plan was delivered to CDDP: <u>November 22nd, 2017</u>						

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Appendix B – FBA Checklist

The Functional Behavior Assessment 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. The length of the PBSP should be reasonable and the formatting should help the reader understand the information being presented. If required information is unavailable the Behavior Professional should indicate why the information is unavailable or not applicable.

- ♦ Summarize the Individual's history.
- ♦ Summarize the Individual's history of the challenging behavior.
- ♦ Summarize the Individual's current challenging behavior.
- ♦ Explain why the individual's behavior needs to be modified through behavior supports and the development of a functional alternative behavior.
 - Clarify the Individual's Intellectual or Developmental Disability.
 - An explanation of how the challenging behavior is impacted by Individual's Intellectual or Developmental Disability.
 - Documentation of who made other known other medical or mental health diagnoses and when this was last affirmed.
- ♦ The hypothesis regarding the cause or function(s) of a challenging behavior for which the Functional Behavior Assessment is being created.
- ♦ Documentation that there were interviews with the Individual, Family, Designated Persons and others integral to the development of the Functional Behavior Assessment. Vital information received during these interviews must be documented in the Functional Behavior Assessment.
- ♦ Documentation that the Behavior Professional completed a file review of the relevant, existing, and available behavior data.
 - Services Coordinators and Personal Agents are expected to assist the Individual in understanding the importance of allowing the Behavior Professional access to historical information. The Services Coordinator or Personal Agent must obtain an Authorization for Release of Information consented to by the Individual (or their guardian or representative) prior to securely transmitting information to the Behavior Professional for the file review.
 - Should there be no file to review or should the Individual elect to not release historical information this must be documented.
- ♦ The Individual's preferences for the delivery of behavior supports, outlining the type of interactions individual prefers to have during the delivery of services and supports.

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- During the creation of the Functional Behavior Assessment, the Behavior Professional might discover an Individual does not agree with receiving a Positive Behavior Support Plan. This preference must be documented.
 - When an Individual (or their guardian) does not elect to receive additional Professional Behavior Services to learn and implement a functional alternative behavior, the Behavior Professional needs to indicate that a Positive Behavior Support Plan is not accepted by the Individual. An informal guideline such as staff intervention guidelines may be developed for the Designated Persons to follow, but this would not be 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 a Functional Behavior Assessment, even when a Positive Behavior Support Plan is not indicated.
- ♦ A measurable description of each challenging behavior. This may include a summary of how the Designated Persons interpret the challenging behavior. The measurable description must include all the following:
- ♦ The duration of the challenging behavior. This would be an explanation of the approximate length of time the challenging behavior is exhibited.
 - ♦ The frequency, or an estimation, of how often the challenging behavior occurs.
 - ♦ The intensity of the challenging behavior. The intensity of a behavior is a description of the behavior's degree of strength.
 - ♦ 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.
- ♦ Documentation that the Behavior Professional considered if the challenging behavior might be an effort to communicate
 - ♦ Documentation that the Behavior Professional considered if the challenging behavior might be the result of a medical or mental health condition.
 - ♦ Documentation that the Behavior Professional considered if the challenging behavior might be a response to trauma
 - ♦ Documentation that the Behavior Professional considered if the challenging behavior might be an effort to control the environment.
 - ♦ The context in which the challenging behavior is most likely to occur.
 - ♦ The context in which the challenging behavior is least likely to occur.
 - ♦ An assessment of the Individual's behavior in all environments in which the Individual commonly engages. More clarification around Individuals in a 24-Hour Residential or Supported Living Setting.

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- ♦ The Individual's current 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.
- ♦ Specialized supports that are currently in place, or may be of benefit to addressing the challenging behavior. Resources may include including any communication devices or technology, assistive devices, safeguarding equipment, or environmental modifications.
- ♦ Documentation that the Behavior Professional inquired if there are other behavior intervention plans, treatment plans, mental health or educational plans. If other behavior plans are in place there must be a summary of the other plans. This must include the author of each plan and the date that plan was written.
- ♦ The challenging behaviors the ISP team believes are important to be addressed as well as which challenging behaviors the Individual is invested in addressing.
- ♦ Any factor(s) that may impact the success of the PBSP.
- ♦ 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 Functional Behavior Assessment.

♦ Indicates that this information is required by rule to be included in the Functional Behavior Assessment. If this is missing from the FBA, the Services Coordinator or Personal Agent will not approve the document or release payment. The Services Coordinator or Personal Agent must notify the Behavior Professional that the FBA must be rewritten to include this information prior to payment.

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Appendix B1 – Sample FBA Invoice

This is an example of an invoice. In this illustration, you will note that attempts to secure additional information from the case management entity are listed. This is listed as an example of best practice but not a rule requirement. You will also see that attempts to contact the identified provider for the Individual are listed. This is listed as an example of best practice but not a rule requirement. Identifying attempted contacts helps the Services Coordinator or Personal Agent better understand why an expected due date might not be met. This sample invoice shows how the Behavior Professional demonstrates the need for additional hours added to the original [Individual Support Plan authorization](#) and [eXPRS](#). It is important to remember that the Services Coordinator or Personal Agent must update the ISP with a [change form](#) and update the authorized hours in eXPRS. The Services Coordinator or Personal Agent may convene a meeting of the members of the Individual’s Support Plan team to discuss the need for allotting more hours or time for the completion of the Functional Behavior Assessment.



**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
Functional Behavior
Assessment Oscar T. Grouch

BEHAVIOR PROFESSIONAL
PROVIDER NUMBER:
987312687

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

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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
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

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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
01/17/18	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 Functional Behavior Assessment	PGBC Office	1:00 PM	4:00 PM	4:00
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	

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

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Appendix C – PBSP Checklist

The Positive Behavior Support Plan should be a readable document that gives the 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. All information in this appendix is required by rule to be included in the Positive Behavior Support Plan or an explanation as to why the information is unavailable. If this is missing from the PBSP, the Services Coordinator or Personal Agent will not approve the document or release payment. The Services Coordinator or Personal Agent must notify the Behavior Professional that the PBSP must be rewritten to include this information prior to payment.

- Person-centered approaches are written in a person-specific manner. There is no indication that the plan is applied to everyone in the setting.
- Identifies the setting in which the individual resides as well as other environments in which the individual commonly interacts.
- The challenging behavior(s) for which functional alternative behavior(s) may be developed.
- The supports available to an Individual to implement a functional alternative behavior.
- The circumstances that are preventing the Individual from accomplishing Activities of Daily Living (ADL), Instrumental Activities of Daily Living (IADL) and health-related tasks. An explanation of what is keeping the individual from being able to accomplish these things on their own.

A measurable description of each challenging behavior. This is often a summary of how the Designated Persons interpret the challenging behavior. The measurable description should include all the following:

- The duration_of the challenging behavior. This would be an explanation of the approximate length of time the challenging behavior is exhibited.
- The frequency, or an estimation, of how often the challenging behavior occurs.
- The intensity_of the challenging behavior. The intensity of a behavior is a description of the behavior's degree of strength.

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- The perceived severity of the challenging behavior. The severity of a behavior is a description negative effect of the behavior on the Individual, others or the environment.

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- A description of the Individual's baseline behavior.
- Known or suspected triggers or setting events for the challenging behavior.
- The Individual's preferences for the delivery of behavior supports, outlining the type of interactions individual prefers to have during the delivery of services and supports.
- Any established [Individually Based Limitations \(IBLs\)](#).
 - During the creation of the Positive Behavior Support Plan, the Behavior Professional might ascertain an Individual (or their guardian or representative) is not willing to consent to an identified strategy such as a Safeguarding Intervention. If the Behavior Professional determines the identified Safeguarding Intervention is a necessary strategy to address imminent health and safety risk of the Individual or others, the strategies should remain as recommendations in the Positive Behavior Support Plan. The Individual's disagreement (if known) must be documented and the plan must reinforce that the intervention may only be used in imminent danger situations where no less restrictive alternative is available to mitigate the risk.
- Strategies or interventions that have been tried in the past and an explanation as to why they have been identified as inappropriate or ineffective.

Strategies to help Designated Persons understand, de-escalate, redirect, or reduce- the duration, frequency, intensity, and severity of the challenging behavior(s).

- Proactive strategies. Proactive Strategies are interventions used on an ongoing basis in attempt to reduce the likelihood of occurrence of challenging behavior(s). They are preventative and usually address conditions that precede the behavior.
- Reactive strategies. Reactive Strategies are responsive interventions only used when challenging behavior occurs.
- Emergency Crisis strategies. Emergency Crisis strategies are techniques intended to ensure the safety of the Individual and others. Safeguarding Interventions may only be included when necessary as an emergency crisis strategy.
- Recovery strategies. Recovery strategies are intended to assist the Individual to return to baseline behavior.

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Safeguarding Interventions are included in the Positive Behavior Support Plan. If yes, the following must also be present:

- A statement must be included indicating that the interventions cannot be used until the individual consents through the Individually Based Limitations Process.
- Weigh test. This is an explanation of the potential danger to the individual from the challenging behavior weighed against the potential danger from the Safeguarding Intervention.
- The Safeguarding Interventions must be predicated by less intrusive measures
- The Safeguarding Intervention must be documented to be used only as a last resort.

The Positive Behavior Support Plan does not contain an intervention or strategy that may be any of the following:

- Cause someone to lose their dignity;
- Include any bribery or threats;
- Be imposed as a penalty or retribution;
- Include a painful stimulus;
- Associate noxious stimuli with the challenging behavior;
- Cause an Individual to lie face down or face up;
- Be for the convenience of the Designated Person.
- Forced Compliance

Documentation that the behavior supports included in the plan take into account:

- Biological,
- Environmental,
- Historical,
- Medical,
- Psychological,
- Social,
- Trauma,
- Other factor(s) that may influence an Individual's behavior.

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A behavior data collection system. A behavior data collection system is required in a plan because it is the only way Designated Persons, Behavior Professionals and the Individual Support Plan (ISP) team know if behavior supports are having the desired effect. The behavior data tracking must be functional, effective, and easy to use.

- Designated Persons must use the data tracking system. The Behavior Professional should work with the Designated Persons to develop a system that works in the setting.

Indicators for when to review or revise the plan, including who is responsible for the review. The Positive Behavior Support Plan should be reviewed every 12 months with the Individual's Support Plan (ISP) team at a minimum.

A strategy to phase out professional behavior services.

- Although some Positive Behavior Support Plans require maintenance by a Behavior Professional. the aim of the Positive Behavior Support Plan is that Designated Persons can carry out behavior supports written into the plan without the Behavior Professional.

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.
- Gathering feedback from the Individual and Designated Person to inform modifications to the plan prior to finalization of the Positive Behavior Support Plan.

Sources used as references.

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Appendix C1 – Sample PBSP Invoice

This is an example of an invoice. In this illustration, you will note that the Behavior Professional and the Case Management Entity discuss the need for additional hours to be added to complete Professional Behavior Services. The Services Coordinator or Personal Agent must request approval for additional funding through the [exceptions process](#) prior to the Behavior Professional delivering services above those authorized in the original [Individual Support Plan authorization](#) and [eXPRS](#).



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

**Positive Behavior Support
 Plan for Oscar T. Grouch**

BEHAVIOR PROFESSIONAL

**PROVIDER NUMBER:
 987312687**

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


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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
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
02/28/18	Mr. Harry Hooper	Traveled to Mr. B. Bird's home for the scheduled appointment. No one was home and no one answered the phone.	Mr. B. Bird's Foster Home	NA	NA	NA
02/28/18	Mrs. S. Nufflaguss (Admin)	Called to set a new appointment.	Phone	NA	NA	NA
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
03/25/18	Mrs. S. Nufflaguss (Admin)	Set up appointments with Mr. Telly and with Uncle Bert to go over PBSP	Phone	NA	NA	NA
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: <u></u> Date Invoice and Temporary Emergency Safety Plan was delivered to CDDP: <u>April 10th, 2018</u>						

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Appendix D1 – Sample Maintenance Invoice

This is an example of an invoice for [Maintenance](#) for the Positive Behavior Support Plan. There is no specific document associated with this portion of Professional Behavior Services therefore it is essential that the invoice clearly identifies how the services provided to maintain the Positive Behavior Support Plan match that which was outlined in the Individual’s Service Plan.



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

**Maintenance of the
Positive Behavior Support
Plan for Oscar T. Grouch**

BEHAVIOR PROFESSIONAL

**PROVIDER NUMBER:
987312687**

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	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
		that if a call isn't returned by 05/20/18 the case will be closed.				
05/10/18	Mrs. S. Nufflaguss (Admin)	Sent email to Mr. P. Sherman, SC that if Mr. Bird doesn't return call by 05/20/18 the case will be closed. (see email dated 05/10/18)	Email	NA	NA	NA
05/19/18	Mrs. S. Nufflaguss (Admin)	Received late night voice mail from Mr. Bird	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: <u></u>						
Date Invoice for Maintenance for the PBSP was delivered to CDDP: <u>June 27th, 2018</u>						

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Appendix E – PPI Reference List for Service Coordinators and Personal Agents

- ❖ All [Positive Behavior Support Plans](#) must adhere to the principles of Positive Behavior Theory and Practice. PPIs remain a [last resort](#) to address an [emergency crisis situation](#). The principles of Positive Behavior Theory and Practice demand that alternate solutions to proactively and reactively address challenging behaviors be used prior to resorting to a PPI.
- ❖ For additional information about the [OIS](#) philosophy, it is recommended that you attend an OIS G-Level or Philosophy workshop.
- ❖ Only [OIS-qualified instructors](#) may include any maneuver into a Positive Behavior Support Plan.
- ❖ This list is solely intended to identify whether a physical intervention or [Safeguarding Intervention](#) included in a Positive Behavior Support Plan is an approved OIS maneuver.
 - Limb Control
 - Belt-Arm Pivot Control
 - Belt-Shirt Control
 - Grip Variations
 - Belt-Shirt escort
 - Belt-Shirt release
 - Wheelchair Control Variation
 - One Person One-Arm
 - One Person Two-Arm
 - Escort in a One Person One-Arm or One Person Two-Arm
 - One-Person Lateral Body Mass Control
 - Two Person Lateral Body Mass Control
 - Two Person Belt/Arm Control
 - One Person One Arm with One Person Standing
 - One Person into a Two Person Standing
 - Two Person Standing
 - Two Person Escort
 - Two Person Seated Couch
 - Two Person wall
 - Three Person Standing / Escort
 - Three Person Seated (couch and wall)
 - Two/Three Person Standing Transfer to Two/Three Person Sitting on the Floor
 - Lift and Carry
- ❖ Any physical intervention included in a Positive Behavior Support Plan that does not adhere to this list must have written approval from the [OIS Steering Committee](#).

Worker Guide / Field Manual

Appendixes

Appendix F – Acronyms

CME – Case Management Entity

CMS – Centers for Medicaid and Medicare Services

FBA – Functional Behavior Assessment

HCBS – Home and Community Based Services

LGBTQQIA+ – stands for lesbian, gay, bisexual, transgender, queer, questioning, intersex and allies. Adding the + sign emphasizes inclusivity

ODDS – Oregon Department of Disabilities Services

PBSP – Positive Behavior Support Plan

PEAA – Provider Enrollment Application and Agreement

PPI – Protective Physical Intervention

SE – Safeguarding Equipment

SI – Safeguarding Intervention

TESP – Temporary Emergency Safety Plan

OIS – Oregon Intervention System

OAR – Oregon Administrative Rule