

Behavior Supports and Services-
Stand Alone Behavior Supports Section

Eleos Family Services (DBA Eleos Family Services):

SCOPE DECLARATION SECTION:	DDD USE ONLY
<p>Please specify which Stand-Alone Behavior Supports (SABS) this policy and procedure applies:</p> <p>Unlimited SABS (Serving those within and outside your agency) <u> </u></p> <p>Limited SABS (Only serving those within your agency) <u> X </u></p>	<p>Agency has been approved for:</p> <p>Unlimited SABS <u> </u></p> <p>Limited SABS <u> X </u></p> <p>DDD APPROVAL DATE: <u>10/24/23 KR</u></p>

Behavioral Supports is in line with the direction of the IDT / Planning Team, and
DEFINITIONS:

1) “**Stand-alone behavioral supports**” - the provision of Behavioral Supports as found in section 17.2 of the Waivers, and delivered in a fee-for-service (“billable”) capacity.

- Agency Responsibilities:

1. Develop Behavioral Supports Policy and Procedure Manual to be approved by the Division.
2. Ensure that staff involved in the delivery of behavioral supports is credentialed consistent with Waiver 17.2.
3. Guarantee staff completion of Positive Behavior Supports training through Elizabeth Boggs Center or through an agency developed Positive Behavior Supports training approved by the Division.

*For reference: <https://www.nj.gov/humanservices/ddd/assets/documents/supports-program-policy-manual.pdf>

<https://www.nj.gov/humanservices/ddd/assets/documents/community-care-program-policy-manual.pdf>

PURPOSE:

To ensure that Behavioral Supports are rendered pursuant to section 17.2 of the NJ DDD Community Care Program and Supports Program Waiver Manuals align to the standards contained and referenced therein.

I. POLICY:

Behavior Supports and Services-
Stand Alone Behavior Supports Section

- A. Only properly credentialed and trained staff will perform the clinical services associated with Stand-Alone Behavioral Supports.
- B. The Provider of Behavioral Supports and Services will establish processes for timely, efficient communication and collaboration with any Support Coordination, IDT / Planning Team, caregivers and other direct service professionals involved with the individual's services.
- C. The Provider of Behavioral Supports and Services will make transparent disclosure to current and prospective service recipients, indicating the categories of behavior management methods and techniques they may utilize, limit, or specifically prohibit. Terminology and categorizations used will be consistent with Division Circular #34.
- D. Aversive Stimulation, Highly-restrictive Mechanical Restraint, Chemical Restraint and Seclusion / Time-Out Rooms shall not be used as components of behavior support plans / strategies.
 - 1. Similarly, Personal Control Restraint shall not be used as components of behavior support plans / strategies; however, the use of emergency personal control technique (PCT), as a safety procedure, may be referenced in the plan.
 - 2. Additionally, any use of "Not-Highly Restrictive" Mechanical devices as a safety procedure referenced in a behavior support plan / strategy requires specific Division approval.
- E. The provision of Assessment/Plan Development or Monitoring (described at 17.2) shall be at the direction of the IDT / Planning Team and, when applicable, consistent with the prior authorization as found within the details of the Service Delivery Report (SDR).
 - 1. Services will be consistent with Procedure Codes and the Examples of Behavioral Supports Activities found in the Waiver Manuals at 17.2.4.1 and 17.2.4.2.
- F. Assessment/Plan Development or Monitoring activities shall result in the timely production of tangible work products delivered to the individual's Support Coordinator for inclusion in the service recipient's records.
 - 1. Eleos Family Services will provide assistance to the IDT/Planning Team in support of any review, approval or dissemination of the Assessment, Behavior Plan / Strategy, and monitoring reports.
 - 2. Expedited timeframes for development and response shall be instituted when there are health / safety concerns or the individual is in jeopardy of losing a needed service, as a result of their behavioral presentation.
- G. Behavior Supports shall not unduly infringe upon the Human Rights of service recipients.

Behavior Supports and Services-
Stand Alone Behavior Supports Section

- H. The entity developing SABS will provide all reasonable assistance to the support coordination agency and the embedded service provider for any necessary plan approvals and staff training.
- I. Records will be made available to those persons authorized by the Division of Developmental Disabilities whose responsibility it is to monitor the quality of service being offered to the individual.

II. PROCEDURE:

- A. Eleos Family Services Director or designee will ensure all employees performing the services of Assessment and Plan Development or Monitoring are credentialed consistent with (17.2) for all waiver services they provide. Credentialing will be verified at time of hire and on an annual basis by Human Resources Associate or designee.
- B. Director or designee will ensure that prior to service delivery, all employees have completed applicable trainings. Training documentation will be maintained for review. Human Resources Associate or designee will be responsible for scheduling required trainings.
 - 1. Staff shall be trained in accordance with Waiver Appendix E., including Positive Behavior Supports and all agency managed trainings via the Elizabeth Boggs Center
 - 2. The system by which staff and/or caregivers shall be trained to the Behavior Support Plan / strategy, including their implementation and documentation responsibilities, the correct use of methods and techniques, best practice recommendations, and the limits of their permitted actions.
 - a. Such training is to be delivered directly by the credentialed individual that created the behavioral support / strategy, or by a designated proxy that they trained and is working under their direction.
 - b) Training will occur in person.
 - c) Competency will be evaluated via role modeling techniques, competency assessments with 80 % accuracy, and/or ongoing assessments.
 - d) Should the Behavior support plan/strategies change, retraining will be offered within 2 weeks of the noted changes.
- C. Administrative Associate or designee will maintain updated and accurate documentation of staff credentials and their completion of mandatory trainings. These will be maintained in the employee file and be available for inspection and review. Staff will be informed of expiring trainings and/or certificates as needed.
- D. As a SABS provider it is expected Eleos Family Services will have staff available as required. Using an outside agency or entity (known as a Temporary Employment

Behavior Supports and Services- Stand Alone Behavior Supports Section

Agency or TEA) is not acceptable as the primary or continual source of credentialed/professional staff. If on an unusual or occasional basis where staffing is not sufficient to meet Eleos Family Services needs, they may need to use a TEA. If an arrangement with a TEA is made to assist with the provision of Behavioral Supports and Services, the Temporary Employment Agency must be a DDD Medicaid approved provider of Behavioral Supports Services. As such, they must meet all requirements and operate in accordance with the NJ DHS DMAHA / DDD Newsletter, Volume 30, No. 19, dated August 2020. Also, if/when Eleos Family Services makes an agreement with a TEA, they will submit a copy of the contract to DDD of the arrangement and will also notify DDD.BehavioralServices@dhs.nj.gov if there is a change or discontinuation the arrangement.

1. Whether done by a staff person directly employed by the agency or by a Temporary Employment Agency engaged under contractual arrangement, Eleos Family Services acknowledges having responsibility to verify credentials and for the timeliness, quality, appropriateness, and effectiveness of behavior supports and services provided.+`
- E. Generally, when Behavioral Supports and Services for an individual are being sought or inquired about, the requests for this information would come from an individual's Support Coordinator. When the request comes from someone other than the Support Coordinator, Eleos Family Services will subsequently reach out to the Support Coordinator to ensure that there is Planning Team agreement with the service and coordination is taking place at that level.

When an individual, their representative, or their Support Coordinator prospectively inquires about Eleos Family Services' provision of behavioral supports and services, they will be provided with information about business practices including the range of behavioral needs the agency is prepared to address.

1. The following procedure indicates the point-of-contact and method of communication.
 - a) Administrative Associate or designee is the point of contact for inquiries and initial referrals.
 - b) Initial response will be provided within two (2) business days.
 - c) BCBA will be responsible for reviewing and determining if behavioral supports can be provided.
 - d) Administrative Associate or designee will respond definitively to a request for service within 5 business days.
2. Eleos Family Services will supply information about any specific forms, processes, or practices (such as interviews and applications) that are required to initiate services. Additionally, individuals/families/guardians will be informed of the techniques/behavior management/interventions that they do or do not use as part of their services. These will be shared with prospective service recipients at the time of initial inquiry and updates if revised.

Behavior Supports and Services- Stand Alone Behavior Supports Section

3. Agency will not develop Behavior Plans that use personal control or any form of mechanical restraint as a behavior shaping technique without prior approval from DDD. Personal control and crisis management are not to be incorporated as part of a behavior support plan.
- F. Eleos Family Services procedures will assure that the scope of work performed under Stand-alone is consistent with the Service Detail Report.
- G. Assessment and Plan Development – when provided as a Stand-Alone Behavior Support service (section 17.2) will adhere to these standards:
1. “Assessment” refers to an investigation into the function of the identified behavior and what factors have a causal relationship to the behavior. The assessment, which may entail conducting a functional analysis of the behavior, will serve to inform the behavior-shaping methods and techniques to be used in the Behavior Support Plan / Strategy - the end product of “Plan Development” activities.
 2. Assessment will be conducted using standard and accepted tools and methodologies. The assessment will either be incorporated into the behavior support / strategy or a summary of it will be shared with the Support Coordinator for Planning Team review.
 3. Both the assessment and the resultant Behavior Support Plan / Strategy will conform to the terminology, required plan components, and approval criteria found in Division Circular #34.
 4. Assessment/Plan Development activities will be initiated and completed as expeditiously as practicable, to assure effective supports are in place as needed. Consistent with the Service Delivery Report (SDR), Assessment and Plan Development should typically be completed within no more than four to six weeks.
 5. The Behavior Support Plan / Strategy will be shared with the Support Coordinator for dissemination, Planning Team review, and inclusion in the service recipient’s record.
 6. Eleos Family Services, as a provider of Behavioral Supports and Services, will work both collaboratively and at the direction of the Planning Team.
 - a. The need for periodic reassessment of the function of the behavior and/or a revision of the Behavior Support Plan / Strategy will be a Planning Team determination, based upon collaborative input from Eleos Family Services. Criteria for reassessment or plan revision should be based upon the behavioral presentation of the service recipient and data-based indicators of progress toward the desired outcome.
- H. Monitoring – when provided as a Stand-alone Behavior Support service (section 17.2) and done in collaboration with the IDT/Planning Team, will adhere to these standards:
1. Monitoring will be consistent with the examples provided in 17.2.
 2. Monitoring is to be in accordance with the SDR, if applicable,

Behavior Supports and Services- Stand Alone Behavior Supports Section

3. Monitoring will result in written documentation compiling or summarizing data-based progress towards the intended behavioral outcomes. Monitoring reports will also note significant behavioral, training or implementation events.
 - a. At a minimum, these reports will be prepared and forwarded to the Support Coordinator every 90 days.
 - b. The frequency of reports shall be every 30 days when the behavior has significant health / safety implications, or when the Behavior Support Plan uses a Level III technique (per DC#34).

- I. As the developer of supports, any supports that require approvals such as IDT, HRC, BMC, or any other review, Eleos Family Services will provide necessary cooperation, coordination, and articulation with the reviewing entities. Eleos Family Services will participate and collaborate in any required review processes.

- J. All behavior supports will be developed with a consideration of the service recipient's Human Rights and consistent with the NJ Developmentally Disabled Rights Act and NJ DHS/DDD person rights statement
<https://www.nj.gov/humanservices/ddd/assets/documents/services/p- participant-rights-responsibilities-english.pdf>

III. QUALITY REIEW- OVERSIGHT AND MONITORING:

- A. Consistent with Eleos Family Services' Quality Improvement Plan, has established a system of administrative oversight to verify that behavioral supports and services are appropriate, effective and timely.
 1. These reviews will focus on behavior support timeframes for creation and dissemination, effectiveness as measured by progress towards behavioral outcomes, and satisfaction survey data of planning team / caregivers.
 2. Reviews shall be specific and applicable to the Behavioral Services addressed within this policy and procedure. Eleos Family Services will use the Divisions Behavioral Services Quality Assurance Audit Tool that includes review of the following:
 - a) Clinical Responsibilities – TEA contract and/or credentialing of clinical staff. Behavior Support Plan/strategy.
 - b) General Implementation Standards and Responsibilities- timeliness and completion of staff trainings in Positive Behavior Supports and Behavior Support plans, adequate response time to inquiries and referrals.
 3. The system of administrative oversight and monitoring will describe how this information will be aggregated, presented, and reviewed at an agency executive level.
 - a) The Compliance Manager will be responsible for gathering the data and completing the selected audit form quarterly at minimum.

Behavior Supports and Services-
Stand Alone Behavior Supports Section

- b) The Compliance Manager will present the findings from the audit form to the Executive level staff quarterly at minimum.
- c) The BCBA and Operations Manager will make recommendations at this time.
- d) The President / Executive Director will implement recommendations as deemed necessary and appropriate to improve agency's behavioral services.
- e) Significant concerns will be addressed immediately by Eleos Family Services.

AUTHORIZED SIGNATURE

Name and Title of the Author of this Document: Esther Marte Giron, President / Executive Director

Agency CEO/Authorized Representative: Esther Marte Giron, President / Executive Director

Signature: *Esther Marte Giron* Date: 10/23/2023