

Behavioral Supports Report: Q1/FY21

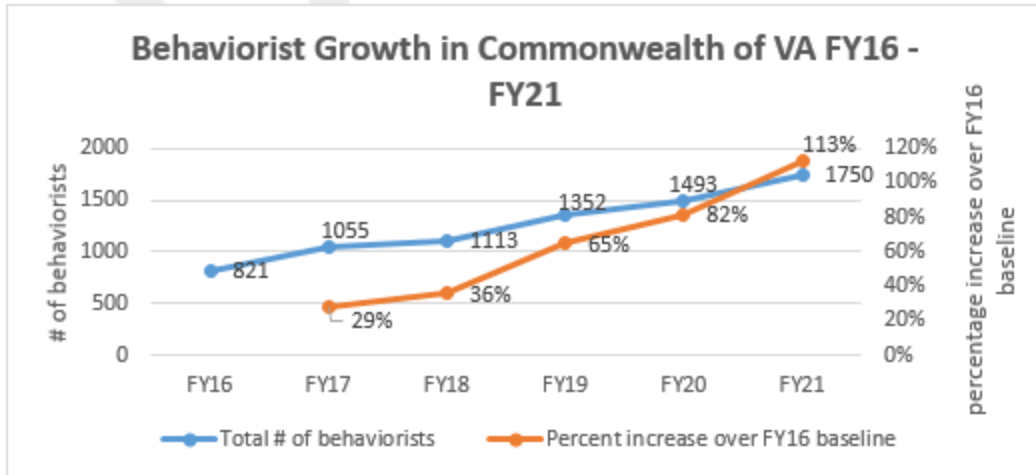
This report provides data and associated information on behavioral services provided in home and community-based settings through the Commonwealth of Virginia's Developmental Disability (DD) waivers, specifically services billed under therapeutic consultation behavioral services. Data provided in this report will continue to expand, in particular once regulations governing this waiver service become effective. This report also includes information on behavioral resources, training, and technical assistance being shared with and provided to the provider community.

Therapeutic consultation behavioral services under DD waivers in Virginia (henceforth referred to as therapeutic consultation) can be considered "focused" behavior services. Focused behavioral interventions which are "problem focused" typically address specific behaviors for decrease such as aggression, self-injury, pica, property destruction, or other challenging behaviors. This type of behavioral intervention involves completion of a functional behavior assessment (FBA) and associated function-based behavior treatment planning. The behavior support plan, or BSP, incorporates the results of the FBA and will usually involve modifying specific aspects of the person's environment to reduce the likelihood that challenging behavior occurs, minimizing the provision of reinforcement for challenging behavior, and teaching new skills to replace the challenging behavior(s). Initial and ongoing training on BSP tactics for those implementing the BSP, as well as data collection and appropriate analysis and data-based decision-making, are critical to the success of such behavioral services delivered through therapeutic consultation.

Therapeutic Consultation Behavioral Services Provider Growth

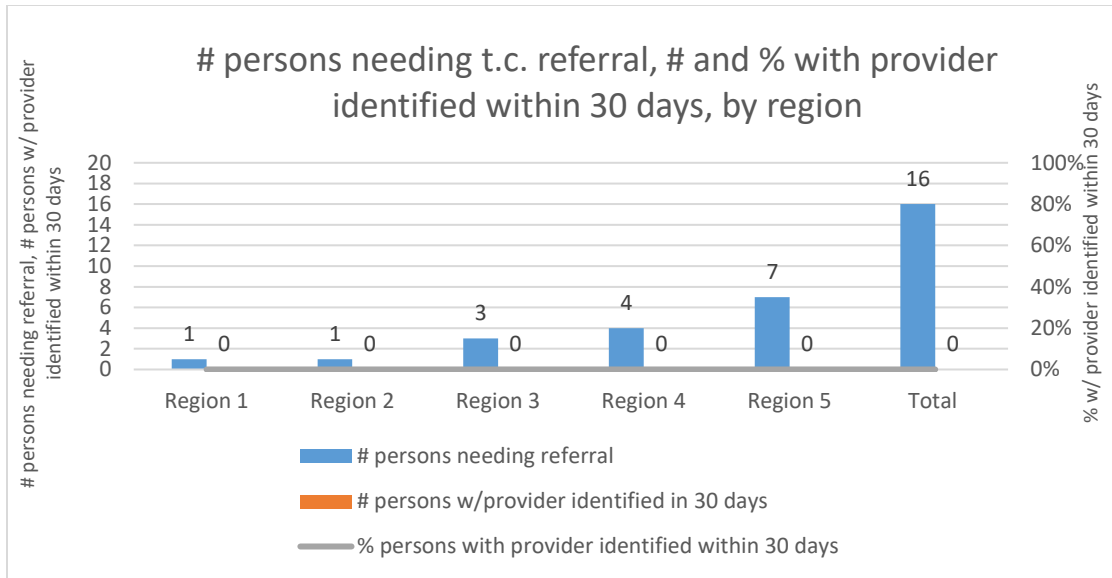
There are two primary provider types that provide therapeutic consultation in Virginia: Positive Behavior Support Facilitators (PBSF) and Board Certified Behavior Analysts®/Licensed Behavior Analysts (BCBA®/LBA). Included in the data on the display on the following page are assistant level behavior analysts (BCaBA®/Licensed Assistant Behavior Analysts) as they also may bill this service under the supervision of Master's or Doctoral level Licensed Behavior Analysts. It is of great interest to the Department of Behavioral Health and Developmental Services (Department or DBHDS) that persons who are seeking therapeutic consultation are able to secure a behaviorist in a timely manner so that their needs can be met. In addition, a compliance indicator agreed to by the Commonwealth and the United States Department of Justice for implementation of the Settlement Agreement between the Commonwealth and the United States (Settlement Agreement) calls for growth in the number of behaviorists. It provides: *By June 2019, DBHDS will increase the number of Positive Behavior Support Facilitators and Licensed Behavior Analysts by 30% over the July 2015 baseline and reassess need by conducting a gap analysis and setting targets and dates to increase the number of consultants needed so that 86% of individuals whose Individualized Services Plan identify Therapeutic Consultation (behavioral support) service as a need are referred for the service (and a provider is identified) within 30 days that the need is identified.* (Settlement Agreement Section III.C.6.a.i-iii, filing reference 7.14.)

The graphical display on the next page illustrates growth in the number of behaviorists in the Commonwealth of Virginia since Fiscal Year 2016, which speaks to the first component of this compliance indicator.



The blue line corresponds to the primary y-axis (# of behaviorists) while the orange line corresponds to the secondary y-axis (percent increase over FY16 baseline). A baseline of 821 behaviorists was established at the beginning of FY16 (July 2015); currently, the PBSF provider organization and the Virginia Department of Health Professions (which governs LBA and LABA licensure) report a combined total of 1,750 behaviorists, which represents a 113% increase over the July 2015 baseline. This exceeds the requirement of the compliance indicator for an increase in the number of PBSFs and LBAs by 30% over the July 2015 baseline. PBSFs account for 4% of the current number of behaviorists in Virginia; LBA/LABAs account for 96% of the current number of behaviorists in Virginia. Of note and as it relates to the specific language of “LBAs” in this indicator, there are currently 1,497 LBAs and 184 LABAs licensed in the Commonwealth. If only LBAs and PBSFs (of which there are 69) are included in behaviorist growth data, the percent increase calculates to an approximate 91% increase over the July 2015 baseline.

As of July 1, 2020, DBHDS has launched tracking to determine the number of individuals identified during the ISP planning process as being in need of therapeutic consultation. Additionally, data are being tracked to determine the percentage of those persons that have a therapeutic consultation provider identified within 30 days of that need being identified. The data displayed on the next page are an initial baseline of the number of persons that have an identified need for a referral for therapeutic consultation services, along with the number and percentage of these persons that had a provider identified within 30 days. The blue and orange bars (orange not visible as zeroes) correspond to the primary y-axis, while the gray line corresponds to a percentage displayed on the secondary y-axis. These data are based off of the result of responses surrounding the need for a referral for therapeutic consultation services at annual ISP meetings that occurred between July 1, 2020 and August 31, 2020, as entered into the DBHDS Waiver Management System (WaMS). As of this initial baseline data pull, none of the 16 individuals that had an indication of needing a referral to for therapeutic consultation had a provider identified within 30 days (0%).



As it relates to preliminary gap analysis, DBHDS has conducted a recent training with the Virginia Association for Behavior Analysis to provide information to LBAs and LABAs on this service. The DBHDS Office of Provider Development also is providing technical assistance from Community Resource Consultants to help behaviorists enroll with the Department of Medical Assistance Services to become a therapeutic consultant. For the individuals that had not received a timely identification of a behaviorist, DBHDS has also contacted leadership in each CSB to provide information on how to locate behaviorists in each region. Upcoming goals for addressing issues identified in the preliminary gap analysis include creation and dissemination of a brief training to be supplied to all CSBs on how to locate behaviorists (inclusive of the necessity of offering choice and seeking out multiple waitlists, if applicable), as well as DBHDS's connecting directly with CSBs to provide guidance on locating behaviorists for any CSB that had an individual that had a need for therapeutic consultation but did not have a provider identified within 30 days. Though regulatory language governing therapeutic consultation behavioral services has not yet been finalized, the above data may also serve as a baseline for the following compliance indicator (Settlement Agreement Section III.C.6.a.i-iii, filing reference 7.18): *Within one year of the effective date of the permanent DD Waiver regulations, 86% of those identified as in need of the Therapeutic Consultation service (behavioral supports) are referred for the service (and a provider is identified) within 30 days.*

Expectations for Behavioral Programming

DBHDS, in concert with the Partnership for People with Disabilities and the Virginia Positive Behavior Support Project, as well as the Virginia Association for Behavior Analysis, drafted basic expectations for the content areas of behavior support plans. DBHDS has compared this internal draft of expectations for BSPs to suggestions that were offered via a public comment period on therapeutic consultation services and will offer another round of public comment on suggested regulatory language. After an upcoming second round of public comment, the Department expects to finalize regulatory language and provide practice guidelines for behaviorists on the minimum elements that constitute an adequately designed behavior support plan to incorporate in the finalized regulatory language. These practice guidelines will be inclusive of best practice information on behavior plan content areas (incorporating finalized regulatory language for this service), the use of positive behavior supports, trauma informed care, and

person-centered practices in behavior planning. Practice guidelines, as well as an associated training for case managers/support coordinators, will also be made available on an ongoing basis, such that support coordinators are able to identify if basic hallmarks of behavior support planning tied into regulatory requirements are in place for individuals on their caseloads who receive this service.

Behavioral Resources

A compliance indicator for Settlement Agreement Section V.H.1 (filing reference 49.5) provides as follows: *DBHDS makes available for nurses and behavioral interventionists training, online resources, educational newsletters, electronic updates, regional meetings, and technical support that increases their understanding of best practices for people with developmental disabilities, common DD-specific health and behavioral issues and methods to adapt support to address those issues, and the requirements of developmental disability services in Virginia, including development and implementation of individualized service plans.*

To address the indicator specific to behavioral services and interventionists, DBHDS has undertaken the following measures since FY20 Q4 through FY21 Q1:

- Publication of four educational articles on behavioral services (included on the DBHDS website and in the Office of Integrated Health’s monthly newsletter) on the topics listed below. Each article contains references to the professional literature and/or website resources.
 - *What is functional behavior assessment?*
 - *FBA Drives Function-Based Behavior Support Planning*
 - *Behavioral Services through the DD Waivers*
 - *Why Graph Behavioral Data?*
- Partnering with the Virginia Association for Behavior Analysis in a webinar presented on Therapeutic Consultation Behavioral Services, delivered in September 2020. Content included an overview of the service model and requirements in Virginia for this service, ISPs, provider enrollment, billing, a panel discussion with both BCBAs and a PBSF that deliver this service, and information dissemination in the ongoing article series developed by DBHDS and where to locate this information on the DBDHS website. There were 28 participants in this webinar.
- Participation in the statewide Provider/Support Coordinator Roundtable meeting in July 2020. Informational resources on two educational articles developed by DBHDS on behavioral services was provided to participants, specific to the advent of these articles being made available electronically on the DBHDS website and the associated resources linked/referenced in the articles. There were 440 registrants for this meeting.
- Provision of technical support to 8 behaviorists related to behaviorally analytic topics, including appropriate graphical displays for the service, operational definitions of behavior and measurement systems/data collection, functional behavior assessment and function based treatment, and/or sharing resources from the professional literature.

Summary

Since the most recent (and initial) report on behavioral services, DBHDS has been able to establish tracking and an initial baseline on the need for therapeutic consultation services for individuals on the Family and Individual Supports and Community Living waivers. DBHDS has also continued information dissemination and technical assistance related to best practice in the delivery of behavioral services specific to “problem focused” behavioral services (e.g., assessment and treatment of challenging behavior, development of functionally equivalent replacement behaviors); the Department has and will

continue to create brief informational articles on such topics and share these with the provider community. DBHDS has partnered with the professional organization in Virginia for Licensed Behavior Analysts to inform more eligible LBAs/LABAs about this service and will continue to provide assistance to enroll more behaviorists to deliver therapeutic consultation services. Regulations governing this service will also impact the provision of this service once they become effective. DBHDS will launch ongoing quality reviews of behavior support plans and provide training and/or resources to behaviorists and CSBs on the expectations of the content of behavior support plans as indicated by the regulations once they become effective.

ADDENDUM

In the 16th report to the Court, the Independent Reviewer requested several pieces of data through recommendations specific to behavioral services. As indicated in response to these recommendations, DBHDS is able to provide a count of the number of individuals that have a behavior support plan as identified in WaMS. Of note, this is based only on individuals that had an ISP occurring between July 1, 2020 and August 31, 2020, as this new data query launched in FY21. Additionally, this number may be inclusive of individuals that have a behavior support plan through funding streams/services outside of therapeutic consultation. With the parameters noted above, the number identified during this time period was 133 persons with a behavior support plan.