

# Positive Behavior Support: Description

- Positive Behavior Support
  - A set of evidence-based strategies used to reduce problem behavior by teaching new skills and making changes in the person's environment to improve quality of life.
  - Blends values concerning the rights of people with disabilities with a practical science about how learning and behavior change occur.

# Positive Behavior Support: Description

- **Positive Behavior Support is**
  - An internationally recognized practice.
  - Research based.
  - A process that gives lasting positive change.
- **Positive Behavior Support**
  - Understands behavior to develop support
  - Finds the reasons why challenging behavior occurs
  - Provides proactive and long-term support

# Positive Behavior Support: Description

- Positive Behavior Support
  - Develops individualized, comprehensive support plans that are:
    - Proactive
    - Educative
    - Functional
    - Consider personal lifestyle choices.

# Positive Behavior Support: Functional Behavior Assessment

- The foundation of Positive Behavior Support is the Functional Behavior Assessment.
- Functional Behavior Assessment is the gathering of information about a person's behavior based upon multiple information sources, including:
  - A review of the person's records
  - Personal observation
  - Interviews with the person, their support providers, and others who have personal knowledge of the person.

# Positive Behavior Support: Functional Behavior Assessment

- **Functional Behavior Assessment must include:**
  - A clear, measurable description of the challenging behavior, including frequency, duration, intensity, and severity of the behavior;
  - A clear description of the need to alter the behavior;
  - A clear description of medical, psychological, psychiatric, physiological, and environmental conditions that may affect the occurrence of challenging behavior;

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# Positive Behavior Support: Functional Behavior Assessment

- Functional Behavior Assessment must include:
  - Functional alternative behavior that serves to meet the same function as the challenging behavior; and
  - A clear and measurable procedure that will be used to alter the challenging behavior.

# Positive Behavior Support:

## Positive Behavior Support Plan

- A behavior support plan is developed directly from the information learned in the functional assessment process.
- Behavior support plans are technically sound, i.e., utilize the basic principles of human learning and behavior. The comprehensive methods of the support plan make the challenging behavior irrelevant, inefficient, and ineffective.
- Behavior support plans should be a good fit for the settings where they are implemented and for the support agents (i.e., family, DSP) that put the methods into action.

# Positive Behavior Support: Positive Behavior Support Plan

- A behavior support plan must not include the use of seclusion, or the use of aversive, abusive or demeaning procedures, procedures that cause pain or discomfort except as provided for in the emergency procedures allowed for in ARM 37.34.1420.
- Used of the person's behavior support plan requires written consent from the following for approval:
  - The person; the person's parent(s) if under 18; the legal representative if one has been appointed by the court.

# Positive Behavior Support:

## Positive Behavior Support Plans

- The person's planning team and the person's providers are responsible for implementation of the person's behavior support plan,
- A behavior support plan must include appropriate measures for training and monitoring staff performance throughout the implementation of the behavior support plan.
- It is important to make sure the plan meets necessary Administrative Rule of Montana criterion, is person-centered, and is meaningful to the individual.
  - In order to assure this, the support providers directly working with the person and the person's support team must approve the behavior support plan.

# Positive Behavior Support: Restricted Procedures

- The following may be used for up to 90 calendar days as part of a behavior support plan that is developed in accordance with NEW RULE III and approved in accordance with (2):
  - Physically enforced contingent observation;
  - Contingent access to personal possessions;
  - Contingent access to personal funds;
  - Educational fines;
  - Physically enforced time out, overcorrection, required relaxation, contingent access to social activity; and physically enforced positive practice overcorrection.

# Positive Behavior Support: Restricted Procedures

- A behavior support plan that includes the use of restricted procedures must be approved by:
  - A board-certified behavior analyst (BCBA);
  - A family support specialist with an autism endorsement (FSS-AE);
  - A person with an Institute for Applied Behavior Analysis (IABA) consultant certification; or
  - A person with a degree in applied behavior analysis, Psychology, or special education who has provided documentation of training and experience in the use of Positive Behavior Supports.

# Positive Behavior Support: Restricted Procedures

- A copy of the behavior support plan incorporating restricted procedures as listed in (1) must be sent to the DDP director within three working days after approval as required in (2).
- The DDP director or their designee must provide prior written authorization for continued use of the restricted procedures after 90 calendar days and the department designee is responsible for reviewing and monitoring the continued implementation and effectiveness of the behavior support plan.

# Positive Behavior Support: Purpose

- The purpose of the rules is to require the use of positive behavior supports intended to encourage individual growth, improve quality of life, and reduce the use of unnecessary intrusive measures for persons funded through the department.
- Positive behavior support focuses on what is important **to** the person as well as what is important **for** the person when encouraging growth and change.

# Positive Behavior Support: Purpose

- This rule prohibits the use of seclusion or the use of abusive or demeaning procedures, or procedures that cause pain or discomfort except for in the emergency procedures allowed for in ARM.34.1420
- This subchapter applies to persons receiving services from community-based providers that are funded entirely or in part by the department.

# Positive Behavior Support: Applicability

- All children and adults receiving services from community-based providers that are funded entirely or in part by the department must be afforded the protections imposed by these rules
- Any provider contracting with the department to provide services to persons with developmental disabilities must conduct its activities in accordance with these rules.

# Positive Behavior Support: Definitions

- “Alternative behavior” means a behavior that can, but is not likely to occur at the same time as a challenging behavior. A functional alternative behavior serves to meet the same function as the challenging behavior.
- “Aversive” means any stimulus or event from which a person will seek to escape, avoid, or terminate if given the opportunity to do so.
- “Challenging behavior” means a behavior that presents a risk or potential risk to the health or safety of the person or to others.

# Positive Behavior Support: Prohibitions

- The following may not be restricted for the purposes of a positive behavior support plan:
  - Education and training services
  - A safe environment to live, work, and receive treatment
  - An individual plan of care
  - Prompt medical and dental care
  - A nourishing, well-balanced diet
  - Assistance of an advocate
  - Opportunity for religious worship
  - Just compensation for work performed

# Positive Behavior Support: Prohibitions

- Corporal punishment and verbal and physical abuse are prohibited in the delivery of services to a person.

# Positive Behavior Support: Emergency Situations

- Emergencies are situations in which the person, other person(s), or the environment is at imminent risk of serious harm or damage due to the person's challenging behavior.
- If an emergency occurs, the following procedures may be used if necessary to prevent the imminent risk of serious harm or damage to the person, other persons, or the environment.
  - Physical restraint, mechanical restraint (upon written order by a licensed physician for medical reasons).

# Positive Behavior Support: Emergency Situations

- Incident reporting must meet the requirements described in ARM Title 37, chapter 34, subchapter 15.
- A behavior support plan, as described in (New Rule III), must be developed for the person if physical restraint is used three (3) times in a three (3) month period.

# Positive Behavior Support

- Administrative Rule 37.34 subchapter 14
- [www.mtrules.org](http://www.mtrules.org)
  - Search by rule #37-599
  - There are two documents – look at the one with Notice of Public Hearing and/or compare the 2 documents
  - The rule will be in effect Feb. 1<sup>st</sup>
  - Rules are published quarterly