



Date: March 10, 2022
Bill: House Bill 1255
Committee: Senate Education, Health and Environmental Affairs
Subject: Education – Physical Restraint and Seclusion – Limitations Reporting, and Training
Position: Support only if amended
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The Shafer Center for Early Intervention supports House Bill 1255 only if amended to include licensed behavior analysts.

The proposed language puts the safety of students at risk by excluding the health care practitioners with the most significant expertise, oversight, and analytic skills to use seclusion by omitting licensed behavioral analysts (LBAs).

LBA's are a licensed and a recognized profession by the Maryland Department of Health. "The licensed behavior analyst is ultimately responsible for the design and implementation of behavior analytic services that are in the best interest of the student. Behavior analysis involves the design, implementation, and evaluation of systematic instructional and environmental modifications to produce socially significant improvement." (COMAR 10.58.16.11). The very essence of their job function is to assess behavior. Excluding this profession is a disservice to the very core of their mission, function, and purpose.

Legislation was passed in 2014 requiring the Board of Professional Counselors and Therapists to regulate the practice of behavior analysis. Beginning January 2015, individuals practicing behavior analysis must be licensed by the Maryland Department of Health. Their training is extensive and may in some cases be more rigorous than other professions listed in the bill regarding behavior for students with special needs.

LBA's are required to hold a BCBA credential, which requires strict adherence to an ethics code designed for working with students who would be need interventions such as seclusion. Please note sections 2.12 to 2.19 in the ethics code found here at <https://www.bacb.com/wp-content/uploads/2020/11/Ethics-Code-for-Behavior-Analysts-210902.pdf>

The Shafer Center is one of the MANSEF schools, which welcomes students with the most intense problem behaviors. The safety of our students is our number one priority and any intervention that is used is designed to keep students safe, increase skills and provide opportunities for learning for all of our students. We do this

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using a data driven process which analyzes the impact of all interventions. Because of this mission, The Shafer Center currently has 8 BCBA/LBA's for 32 students. These are the best professionals to assist in making safe and meaningful progress for students whom other schools often reject or cannot manage. As a psychologist and a BCBA, all of my knowledge and expertise in this area was gained through my BCBA training and continuing education to be a BCBA. Very few psychologists have this expertise or training, and those of us who do are part of the behavior analytic community.

We respectfully request that you consider amending this section as you deliberate HB 1255.