START\_STATUTE36-591.01.  Behavioral-supported group homes; rules; definitions

A.  Beginning July 1, 2024, behavioral‑supported group homes that are operated in this state by a service provider and that are under contract with the department of economic security shall be licensed for health and safety by the department of health services pursuant to section 36‑132.

B.  The director shall adopt any rules necessary regarding behavioral‑supported group homes that include at least the following:

1.  Ensuring that each client's behavioral treatment plan is developed, integrated, coordinated and monitored by a clinical professional who, at a minimum:

(a)  Has at least two years of experience working directly with persons with dual disorders, including psychiatric disorders and developmental disabilities, who engage in behaviors that are disruptive, socially inappropriate or harmful or dangerous to self or others, that interfere with functioning and quality of life or that may cause destruction of property.

(b)  Has specialized training in applying behavioral interventions, including applied behavior analysis and positive behavioral supports.

(c)  Holds at least a master's degree in any of the following professional categories:

(i)  Occupational therapy.

(ii)  Physical therapy.

(iii)  Psychology.

(iv)  Social work.

(v)  Speech and language pathology.

(vi)  Behavior analysis.

(vii)  A similar human service degree such as sociology, special education or rehabilitation counseling.

2.  Requiring that the direct care staff in a behavioral‑supported group home, at a minimum, have both:

(a)  At least one year of experience working directly with persons with dual disorders, including psychiatric disorders and developmental disabilities, who engage in behaviors that are disruptive, socially inappropriate or harmful or dangerous to self or others, that interfere with functioning and quality of life or that may cause destruction of property.

(b)  Specialized training in applied behavior analysis and positive behavioral supports.

3.  Ensuring that each client has an integrated treatment plan. Each client shall have a functional behavioral assessment completed by a qualified clinical professional who meets the qualifications prescribed in paragraph 1 of this subsection, in consultation with a multidisciplinary team that is composed of all individuals working with the client to include, if appropriate, psychiatric, medical, nursing and nutrition providers, physical, occupational and speech therapists, educational personnel, behavioral health providers, group home direct care staff, home health personnel, day program staff, the client and the client's family or guardian and representatives from the division.  The integrated treatment plan shall be reviewed by the entire multidisciplinary team every ninety days to determine if the interventions in the plan are effective.

C.  For the purposes of this section:

1.  "Behavioral treatment plan" means a document that stipulates goals to treat, manage, control or extinguish predictable and continuing behaviors of the client and that is one component of the client's integrated treatment plan.

2.  "Integrated treatment plan" means a document that coordinates all treatment interventions that address the client's physical health and behavioral health needs for the purpose of ensuring seamless, coordinated and comprehensive treatment. END\_STATUTE