

RULE

Department of Health Behavior Analyst Board

Supervision Requirements (LAC 46:VIII.503 and 511)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq, the Behavior Analyst Board has amended §503 A., §503 B., and B.2, §511.A, A.1, A.2, A.3, A.4, A.5, and §511.B.

Amendments are necessary to clarify face-to-face contact, real time 1:1 contact, on-site contact, and the use of electronics in supervision. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part VIII. Behavior Analysts

Chapter 5. Supervision Requirements

Subchapter A. Supervision Requirements for State Certified Assistant Behavior Analysts (SCABA)

§503. Supervision Requirements

A. The manner of supervision shall depend on the treatment setting, patient/client caseload, and the competency of the SCABA. At a minimum, for full-time SCABAS, working at least 30 hours per week, a face-to-face supervisory meeting shall occur not less than once every four weeks, with each supervisory session lasting no less than one hour for full-time SCABAS. In-person, on-site observation is preferred. However, this face-to-face supervision may be conducted via web cameras, videoconferencing, or similar means (telehealth) in lieu of the supervisor being physically present in the same geographic space as the technician, provided the remote methods comply with all relevant privacy protection laws and regulations. Face-to-face supervision conducted remotely requires two-way video and audio capability, real-time 1:1 contact must occur while the client's session is occurring; and on-site requires the SCABA to be on-site with the client. The qualifying supervision activities may include:

A.1 - A.2. ...

B. More frequent supervisory activities may be necessary as determined by the LBA or SCABA dependent on the level of expertise displayed by the SCABA, the practice setting, and/or the complexity of the patient/client caseload. Supervision should occur in a schedule and mode consistent with evidence-based practice and sufficient to ensure competence in the delivery of each client's current treatment program. The qualifying supervision may include, but are not limited to:

B.1. ...

2. Camera surveillance of sessions in which a supervisor only views the sessions remotely and communication occurs via text-messages, electronic mail, or other written or typed communication is allowed as additional supervision, but is a non-qualifying supervision activity.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3706-R.S. 37:3708.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Behavior Analysts Board, LR 40:1933 (October 2014), amended by the Department of Health, Behavior Analyst Board, LR 42:1516 (September 2016), amended by the Department of Health, Behavior Analyst Board, LR 46:567 (April 2020).

Subchapter B. Supervision Requirements for Registered Line Technicians (RLT)

§511. Supervision Requirements

A. The manner of supervision shall depend on the treatment setting, client caseload, and the competency of the RLT. It must be noted these are the minimum requirements and every LBA is still responsible for assuring supervision is provided at a frequency and mode that sufficiently addresses the needs of each individual client. The qualifying supervision must include the following criteria:

1. Each RLT must be supervised for a minimum of 5 percent of the hours spent providing applied behavior-analytical services per month.

2. Supervision must include at least two face-to-face contacts per month. At least one of the face-to-face contacts requires the supervisor observe the RLT providing services. In-person, on-site observation is preferred; however, via web cameras, videoconferencing, or similar means in lieu of the supervisor being physically present in the same geographic space as the technician, provided the remote methods comply with all relevant privacy protection laws and regulations is allowed. Face-to-face supervision conducted remotely requires two-way video and audio capability.

3. It must be noted these are minimum requirements and all licensed behavior analysts are still responsible for assuring supervision is provided at a frequency and mode to sufficiently address the needs of each individual client.

4. The LBA may delegate supervisory responsibilities to a SCABA under their direct supervision or another LBA. The LBA of record is ultimately responsible for all supervision requirements.

5. Other supervisory activities may include real-time interactions between a supervising LBA or SCABA and a group of RLTs to review and discuss assessment and treatment plans and procedures, client assessment and progress data and reports, published research, ethical and professional standards and guidelines, professional development needs and opportunities, and relevant laws, regulations and policies.

B. More frequent supervisory activities may be necessary as determined by the LBA, SCABA, or RLT, dependent on the level of expertise displayed by the RLT, the practice setting, and/or the complexity of the client caseload. Supervision should occur at a schedule consistent with evidence-based practice and sufficient to ensure competency in the delivery of each of the client's current treatment programs. These additional supervisory activities; however, do not qualify towards minimum supervision requirements. Examples of additional non-qualifying supervision includes camera surveillance of sessions in which a supervisor only views the sessions remotely and communication occurs via text-messages, electronic mail, or other written or typed communication.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3706-R.S. 37:3708.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Behavior Analysts Board, LR 40:1933 (October 2014), amended by the Department of Health, Behavior Analyst Board, LR 42:1516 (September 2016), amended by the Department of Health, Behavior Analyst Board, LR 46:568 (April 2020).

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