

AMENDED IN SENATE JUNE 26, 2014

AMENDED IN SENATE JUNE 9, 2014

AMENDED IN ASSEMBLY APRIL 22, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2041

Introduced by Assembly Member Jones

February 20, 2014

An act to add Section 4648.32 to the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2041, as amended, Jones. Developmental services: regional centers: behavioral health treatment.

The Lanterman Developmental Disabilities Services Act requires the State Department of Developmental Services to enter into contracts with private nonprofit corporations to operate regional centers for the provision of community services and supports for persons with developmental disabilities and their families. Regulations adopted under that act require a regional center to classify a vendor of services provided by the regional center as a behavior management consultant or behavior management assistant if the vendor designs or implements behavior management intervention services, possesses specified experience in designing or implementing those services, and meets other specified licensure and education requirements.

This bill would require that a regional center classify a vendor as a behavior management consultant or behavior management assistant if

the vendor designs or implements *evidence-based* behavioral health treatment, has a specified amount of experience in designing or implementing that treatment, and meets other licensure and education requirements. The bill would require the department to amend its regulations as necessary to implement the provisions of the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4648.32 is added to the Welfare and
2 Institutions Code, to read:

3 4648.32. (a) For purposes of this section, “behavioral health
4 treatment” shall have the same meaning as provided in Article 5.6
5 (commencing with Section 1374.60) of Chapter 2.2 of Division 2
6 of the Health and Safety Code and Article 2.5 (commencing with
7 Section 10140) of Chapter 1 of Part 2 of Division 2 of the Insurance
8 Code.

9 (b) A regional center shall classify a vendor as a Behavior
10 Management Assistant if the vendor does both of the following:

11 (1) Designs or implements behavioral health treatments under
12 the direct supervision of a Behavior Management Consultant,
13 classified as provided in subdivision (c), or assesses the function
14 of a behavior of a consumer and designs, implements, and evaluates
15 instructional and environmental modifications to produce socially
16 significant improvements in the consumer’s behavior through skill
17 acquisition and the reduction of behavior, under direct supervision
18 of a Behavior Analyst, classified as provided in Section 54342 of
19 Title 17 of the California Code of Regulations, or a Behavior
20 Management Consultant, classified as provided in subdivision (c).

21 (2) Meets either of the following requirements:

22 (A) Possesses a bachelor of arts or science degree and has either
23 of the following:

24 (i) Twelve semester units of applied behavior analysis or
25 behavioral health treatment and one year of experience in designing
26 or implementing behavioral health treatment.

27 (ii) Two years of experience in designing or implementing
28 behavioral health treatment.

29 (B) Is either of the following:

- 1 (i) A registered psychological assistant or licensed psychologist
2 pursuant to Chapter 6.6 (commencing with Section 2900) of
3 Division 2 of the Business and Professions Code.
- 4 (ii) An associate clinical social worker registered with the Board
5 of Behavioral Sciences pursuant to Section 4996.18 of the Business
6 and Professions Code.
- 7 (3) For purposes of this section, a regional center shall only
8 classify as a vendor a Behavior Management Assistant who designs
9 or implements *evidence-based* behavioral health treatments that
10 are consistent with the vendor's experience and education.
- 11 (c) A regional center shall classify a vendor as a Behavior
12 Management Consultant if the vendor designs or implements
13 behavioral health treatments and meets all of the following
14 requirements:
- 15 (1) Has two years of experience designing and implementing
16 behavioral health treatments.
- 17 (2) Is licensed as one of the following:
- 18 (A) A psychologist pursuant to Chapter 6.6 (commencing with
19 Section 2900) of Division 2 of the Business and Professions Code.
- 20 (B) A licensed clinical social worker pursuant to Chapter 14
21 (commencing with Section 4991) of Division 2 of the Business
22 and Professions Code.
- 23 (C) A licensed marriage and family therapist pursuant to Chapter
24 13 (commencing with Section 4980) of Division 2 of the Business
25 and Professions Code.
- 26 (D) Any other licensed professional under the laws of this state
27 whose license permits the design or implementation of behavioral
28 health treatments.
- 29 (3) For individuals vendored as a behavior management
30 consultant prior to, or as of, December 31, 2006, have completed
31 12 semester units in applied behavior analysis by December 31,
32 2008.
- 33 (4) For individuals vendored as a behavior management
34 consultant on or after January 1, 2007, completes 12 semester units
35 of applied behavior analysis or behavioral health treatment.
- 36 (5) For purposes of this section, a regional center shall only
37 classify as a vendor a Behavior Management Consultant who
38 designs or implements *evidence-based* behavioral health treatments
39 that are consistent with the vendor's experience and education.

- 1 (d) The department shall amend its regulations as necessary to
- 2 implement ~~to~~ this section.

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