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INDEPENDENT REGULATORY
REVIEW COMMISSION

Jenna Mehnert, MSW
Executive Director

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March 2, 2010

Regulatory Unit Counsel
Department of State
P. O. Box 2649
Harrisburg, PA 17105-2649

Dear Regulatory Counsel,

The Pennsylvania Chapter of the National Association of Social Workers (NASW-PA) would like to provide comments on the proposed regulation No. 16A-4929 – Behavior Specialist.

NASW-PA is very supportive of efforts to create a certification for professionals working with children with behavioral health needs, especially children diagnosed on the autism disorder spectrum. We recognize the unique needs of children along the spectrum, and the critical importance for professionals to understand the disability before attempting to create service/treatment plans. Every effort should be made to ensure that children and their families receive quality services from skilled and trained professionals. With that position in mind, NASW-PA would like to raise some concerns with the proposed regulations.

NASW-PA's concerns relate largely to the disincentive the drafted regulations create for professional licensure. While designed to ensure that professionals working with this population would be specifically trained, the regulations for the certification would allow members of licensed professions to deliver services without holding their respective professional license. Without intending to do so, this certification could replace licensure as the professional standard. Using the medical field as an example, the regulations would allow a licensed M.D. who is a board certified dermatologist to abandon the medical license and the accompanying requirements to the profession and instead maintain just the certification as a dermatologist. Clearly, NASW-PA is opposed to any effort that lowers the standard of protection for the general public or reduces the Commonwealth's ability to ensure competent and professional practice.

The degrees listed in ACT 62 have licensure by the Department of State or state education certification (special education) available for that profession. It is NASW-PA's position that the behavior specialist certification should be structured to require current licensure or state education certification before an applicant can apply for the certification. Thereby, the certification would be seen as a specialty credential like the board certified dermatologist, rather than as the baseline requirement that should be licensure.

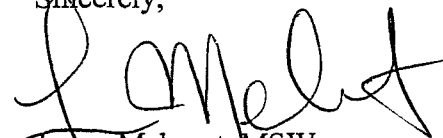
The proposed regulation for obtaining or maintaining the certified behavior specialists does not distinguish any differences between licensed and non-licensed individuals. NASW-PA has significant concerns that a licensed professional will be required to pay renewal fees while not receiving any benefits for maintaining their professional licensure in this field of practice. The certification should enhance, not diminish the professional requirements of the human services field.

Another concern that NASW-PA has is related to continuing professional education. The standard for maintaining certification in many specialty fields of practice calls for acquiring continuing education credits during a two-year cycle. These credits are intended to encourage professionals to expand their knowledge base and stay up-to-date on new developments. It is NASW-PA's position that this certification should include a requirement of 30 continuing education credits to be obtained every two years. Clearly, this would create the same education burden to maintain the certification that exists to maintain licensure. Additionally, it is anticipated that the 30 credits for licensure and the 30 credits for the certification could be the same 30 credits, with the requirement that 10 of the 30 credits be specifically geared toward understanding ASD and best practices in ASD service delivery. Furthermore, the vast majority of agencies offering behavior specialist services require employees to maintain 15-30 credits annually; it is therefore likely that no cost or further strain would be created by requiring continuing education. However, such a requirement would work toward ensuring a competent and current knowledge base among certificate holders.

It is our intention to submit comments focused on quality of services directed at meeting the needs of children with autism and their families. The delivery of services to these children should be driven by standards of best practices rather than the standards set forth by insurance companies. NASW-PA recognizes the value of availability, stability, and quality of services that can make a difference towards achieving independency and a high quality of life for children on the autism spectrum.

NASW-PA appreciates the opportunity to provide input on this proposed regulation as it progresses. To restate once again, we feel strongly that members of a licensable profession should clearly be required to hold their respective license in addition to the specialty certification as a Behavioral Specialist. If you have any questions, concerns, or comments, please feel free to contact me at 717-232-4125 or by e-mail at exec@nasw-pa.org.

Sincerely,



Jenna Mehnert, MSW
Executive Director

National Association of Social Workers, PA Chapter

cc: Carol E. Rose, M.D., Chairperson, State Board of Medicine
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