



**Cheryl Yohn**

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**From:** Brent Sigut <bsigut@wjspysychological.com>  
**Sent:** Monday, August 12, 2019 2:16 PM  
**To:** IRRC  
**Cc:** cmalecki@pa.gov  
**Subject:** No. 3209 Department of Human Services #14-546: Intensive Behavioral Health Services

Good Afternoon,

WJS Psychological Associates Allegheny, Inc. is opposed to the promulgation of this regulation as written. WJS Psychological Associates Allegheny, Inc. will not be able to offer support unless the following issues are addressed.

**Issue:**

In 5270.41 Staff Qualifications for Individual Services (b) it states: "Individuals who provide behavior consultation services to children diagnosed with ASD for the treatment of ASD shall meet the qualifications for an individual who provides behavior analytic services or behavior consultation-ABA services in 5240.81 (d) or (e)."

**Comment:**

If interpreted correctly, this provision will severely limit the capacity for providers statewide to serve the ASD population. While ABA is an evidence based practice in providing services to the ASD population, there are also many other evidence based interventions that have effective results that are non-ABA. Therefore, if this section is not changed, it will in effect be minimizing or all together eliminating other effective interventions. This will unfairly limit access for ASD patients across the Commonwealth due to the credentials needed by staff to provide non-ABA interventions. While it is our belief that there is a need for ABA, it should not be interpreted as the only evidence based treatment.

**Issue:** In 5240.72 Supervision and 5240.82 Supervision, the amount of supervision has increased substantially in comparison to current regulations for BHRS.

**Comment:** In reading through the IRRC Regulatory Analysis Form, the general interpretation by your analysts concluded that while there will be some extra costs to individual agencies, there will be significant offsets as well. Our agency foresees significant cost increases due to the large expansion of supervision requirements. In addition, the requirements of a supervisor overseeing ABA delivery requires individuals with extensive educational backgrounds or BCBA certification. There will be significant increases in labor costs in acquiring such individuals, not too mention there is limited access in the job market to BCBAs. The IRRC needs to conduct further studies on the availability of individuals who meet their proposed regulations to serve as a supervisor. It will be determined that the actual availability of such individuals is extremely limited.

Sincerely,

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Practice Manager



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