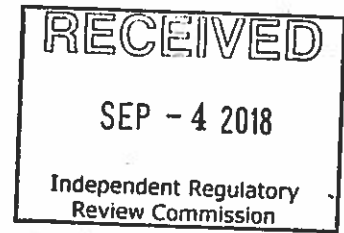


14-546-66

Champa, Heidi

From: Christie Seiler <christieseiler33@gmail.com>
Sent: Monday, September 03, 2018 7:03 PM
To: PW, IBHS
Subject: IBHS regulation comments
Attachments: IBHScomments.docx

3209



Hello!

Please accept the attached as a response to the proposed Intensive Behavioral Health Services (IBHS) proposed regulations.

Regards,

Christie Seiler, Psy.D.

3204



August 30, 2018

Ms. Tara Pride
Bureau of Policy, Planning and Program Development
Commonwealth Towers
11th Floor
P.O. Box 2675
303 Walnut Street
Harrisburg, PA. 17105

Re: Proposed Intensive Behavioral Health Services; Regulations No. 14-546
Published August 4, 2018 in the *Pennsylvania Bulletin*

Dear Ms. Pride:

My name is Dr. Christie Seiler and I am a private practice psychologist in Williamsport, PA. I have been working as a Licensed Psychologist for 15 years and, I am also a Provider Type 19 and supervise a large Behavioral Health Rehabilitation Services (BHRS) practice in our rural community. I have been in my capacity with the BHRS program for four years. The company I work for, Lycoming Therapeutic Wraparound Services, Inc., has been successfully in operation for nearly 15 years, and is one of the larger practices serving Lycoming and Clinton Counties. Our practice is relatively unique because we, as psychologists, are closely involved with the evaluation and treatment of all of the clients within the practice. This is compared to other agencies in our area in which supervision is provided by unlicensed, Master's level clinicians, often times, whom are not even in the county. I am very much aware of current issues associated with the provision of BHRS. I am writing on behalf of Lycoming Therapeutic Wraparound Services, Inc., the agency in which I work. I am also writing on behalf Dr. John Neil, the owner and clinical supervisor for the practice, and Ms. Kelly Gordon, the Program Manager for the practice. We endorse the comments submitted by Dr. Sam Knapp, ABPP and Rachel Baturin, J.D., on behalf of the Pennsylvania Psychological Association. With that said, we would like to take this opportunity to highlight some concerns included in their comments that we found to be of particular importance.

Though we are very much in support of efforts to improve regulations for programs that serve children and believe these proposed regulations made many good points, we are concerned that the proposed regulations, as they are written could influence programming in a negative way. Of greatest concern is the threat to the employment of Psychologists currently supervising or working within BHRS practices. The current regulations require, even Psychologists, to obtain an additional certification in ABA to continue being the Clinical Director and Clinical Supervisor for a BHRS practice. I have been successfully supervising a BHRS practice, including supervising staff that provide ABA intervention. Until now, my practice was consistent with the Professional Psychology Practice Act which allows Psychologists to provide ABA services. I believe the proposed regulations directly violate rights of Psychologists to practice in Pennsylvania, as they limit the scope of practice of Psychologists. I do not believe that I, or any Psychologist, should be required to obtain an additional certification to provide or supervise individuals providing ABA services, which are listed under the scope of practice for Psychologists in Pennsylvania. This is especially true for those few Provider Type 19's in the state that have already demonstrated a successful ability to provide or supervise BHRS services that include ABA. Should these

regulations be passed as written, entire BHRS practices that are run by Psychologists will likely close, leading to a further shortage of service providers within the state. Our county is already under-served and many BHRS practices are not accepting new clients.

Additionally, the proposed regulations are creating a situation in which all practitioners are required to obtain additional certifications in order to provide IBHS. It seems this will create a significant hardship, especially in those rural areas (i.e., such as Lycoming County) in which obtaining staffing with the credentials consistent with the current BHRS regulations is limited, at best. Requiring staff to have additional certifications to be part of IBHS will certainly pose a hardship to programming. It also raises the question regarding who will be paying for all of those certifications to be obtained.

Though we are very much in support of taking steps to increase the pool of qualified staffing, the current regulations indicate that a person with a high school diploma and a Registered Behavioral Technician (RBT) certification is sufficient to perform the duties. Current BHRS guidelines require a person to have a Bachelor's Degree in a human service field to provide these services. The proposed regulations do not seem to be strict enough to show that a person is qualified to work with a person who has severe behavior symptoms. Perhaps the regulations could increase the requirements to include an RBT plus experience or an Associates Degree and RBT certification.

The proposed regulations discuss issues pertaining to the use of restraints in managing children who have become a serious threat to self or others. The current regulations specify that restraints can only be applied as a last resort and specify the nature of these restraints that would be approved. However, they do not specify that a practice has the ability to implement a no-restraint policy. In our current practice, we have a no-restraint policy, particularly because our staffing is often working in isolation from other staff. They go into client's homes or schools, but as an individual staff person. Proper restraints should be administered in teams that have regular practice with the implementation of the restraint. BHRS rarely allows for teams that practice together to be in the same vicinity to implement a restraint technique. Therefore, we have opted to have a no-restraint policy and we work primarily using a crisis prevention model. It would be helpful if the proposed regulations would specify that an agency is permitted to have a no-restraint policy.

The proposed regulations specify a need for licensed IBHS agencies to contract with other service agencies. The nature of this service agreement was not specified. In Lycoming and Clinton Counties, these agencies do not always exist and would require our agency to form relationships with agencies outside of our country. We hope the proposed regulations will specify the nature of the agreements, as well as include other options in which counties do not have those services available.

The proposed regulations will only provide a 180-day window for an independent agency to obtain a license to practice IBHS once these regulations are passed. This does not seem sufficient, as I am concerned about the rate in which we can hire appropriate candidates, as well as the rate at which the state can process applications. In the event that the we are unable to secure a license to practice IBHS within the time frame, we would not be able to provide services for our current clients and, in Lycoming County, there are no other agencies accepting clients at this time. Those 75-100 clients, at the time, will be without a service provider. I hope the final regulations will address this concern.

Thank you for the opportunity to comment on the proposed regulations. We find that there are elements of the regulations that violate existing Pennsylvania Statutes and regulations and elements

that require further clarification. Consequently, we are unable to write to express full support of the regulations as they are written.

Sincerely,

Christie Seiler, Psy.D.
Licensed Psychologist

Writing on Behalf of:

Lycoming Therapeutic Wraparound Services, Inc.
1521 Washington Boulevard
Williamsport, PA. 17701

John S. Neil, Psy.D.
Licensed Psychologist
Owner, Lycoming Therapeutic Wraparound Services, Inc.

Stephanie Stocki, Psy.D.
Licensed Clinical Social Worker
Owner, Lycoming Therapeutic Wraparound Services, Inc.

Kelly Gordon, M.Ed.
Program Manager
Lycoming Therapeutic Wraparound Services, Inc.
