



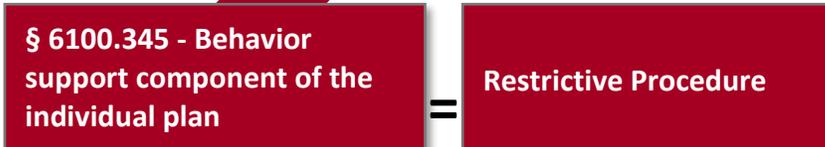
A summary of the Behavior Support Plan shall be added to the ISP and include:

- Current need for the Behavior Support service.
- Formal or informal needs assessment that establishes the need for Behavior Support.
- Summary of the findings of the Functional Behavior Assessment.
- Specific activities that the Behavior Support professional will be completing to support the outcome of the Behavior Support service.
- Training expectations for staff supporting the individual.
- Documentation related to direct and indirect activities:
  - Specific Crisis Intervention strategies to address dangerous or at-risk behaviors.
  - Summary of the information required in § 6100.345 for any applicable restrictive procedures approved by the Human Rights Team, including a summary of the fading plan.
- If restrictive procedures are being used, the Supports Coordinator must check the “Restrictive Procedure” box in Behavior Support Plan screen.



**Behavior Support Plan**

The purpose of the Behavior Support Plan is to provide a comprehensive behavior management tool that captures all applicable behavior planning strategies designed to support the individual. Behavior support guidelines, crisis intervention strategies, and relevant restrictive procedures included in the behavior support component of the Individual Plan, approved by the Human Rights Team, should all be included as components of the Behavior Support Plan. *Note: The majority of Behavior Support Plans will not contain restrictive procedures because they are only to be used after all other interventions have been exhausted.*



**§ 6100.345 - Behavior support component of the individual plan will include the following:**

- (1) The specific behavior to be addressed.
- (2) An assessment of the behavior, including the suspected reason for the behavior.
- (3) The outcome desired.
- (4) A target date to achieve the outcome.
- (5) Methods for facilitating positive behaviors
- (6) Types of restrictive procedures that may be used and the circumstances under which the procedures may be used.
- (7) The amount of time the restrictive procedure may be applied.
- (8) The name of the staff person responsible for monitoring and documenting progress with the Behavior support component of the individual plan.

## **Informed Consent**

Thorough attempts must be made to obtain informed consent for all restrictive procedures that may be used as specified in the behavior support component of the Individual Plan, including the modification of individual rights through the use of restrictive procedures, from the individual who will experience the modification of rights. No coercion may be used to obtain consent. Prior to approving the behavior support component of an Individual Plan, the HRT is responsible for reviewing documentation of how informed consent was obtained or the attempts to obtain informed consent to ensure that the process outlined below has been followed.

Informed consent is the knowing consent voluntarily given by an individual (or by the individual's substitute decision-maker or guardian, if applicable) who can understand and weigh the risks and benefits involved in the particular decision or matter.

Prior to the implementation of any modification of rights, the following process should be followed:

1. The person(s) from the ISP team securing the consent should:
  - Explain the intended outcome and nature of, and the procedure involved in, the proposed treatment or activity.
  - Explain the risks, including side effects, of the proposed treatment or activity, as well as the risks of not proceeding.
  - Explain the alternatives to the proposed treatment or activity, particularly alternatives offering less risk or other adverse effects.
  - Explain that the individual may withhold or withdraw consent at any time.
  - Present all information in a manner which can be understood by the individual making the decision using the individual's preferred communication method.
  - Be available to answer questions that the individual may have regarding the matter for which consent is being sought.
  
2. When obtaining informed consent, the following documentation is required:
  - The consent or the attempts to obtain consent; this must be in writing and filed in the individual's record;
  - Details about the procedure utilized to obtain the consent;
  - The name, position, and affiliation of the person(s) securing the consent; and
  - A summary of the information provided to the individual from whom consent is secured.

3. The written consent or documentation of the attempts to obtain consent is dated and expires upon completion of the authorization period for the specific procedure for which it applies. The authorization period, including the start and expiration dates, for each restrictive procedure is specified in the behavior support component of the Individual Plan as approved by the HRT, and is documented in the ISP, behavior support plan and consent document. The appropriateness of the consent shall be reviewed, at a minimum, as part of the annual review of the individual's ISP (or as frequently as required by law, regulation or policy).
4. The written consent or documentation of the attempts to obtain consent is reviewed by the HRT when there is a change to the restrictive procedure.

An individual, his or her guardian, if the individual has a guardian, and other key members of the individual's ISP team must be involved in developing the ISP.

When an individual has a guardian who provides consent on behalf of the individual for services and supports, including restrictive procedures, the behavior support component of the Individual Plan must be explained to the individual as well. If there are court ordered restrictions that must be included in the behavior support component of the Individual Plan, consent to include these restrictions is not required, but it is helpful if consent to use these restrictions is obtained. If there are court ordered restrictions that must be included, a copy of the court order must be included in the individual's record maintained by the provider that implements the restrictions and the Supports Coordination Organization.

There may be times when consent is not obtained and, in order to ensure an individual's health and safety or the health and safety of others, the implementation of a restrictive procedure is necessary. In these situations, the behavior support component of the Individual Plan must be presented to the HRT for review as outlined above (expedited review can be requested if there is an imminent health and safety need). The HRT can approve a restrictive procedure in the absence of the individual's consent, provided that documentation of the attempts to obtain consent is present and the restrictive procedure is determined to be necessary to preserve the individual's health and safety. When an HRT reviews a restrictive procedure for which consent has not been obtained, the HRT should balance human rights with the need to support an individual's health and safety.