

To: Education Committee

From: Suzanne Letso, M.A., BCBA & parent of a son with autism

Date: March 6, 2011

Re: Testimony in opposition to SB 1105

1. Opposed to Section 1 changing the criteria of who is qualified to provide ABA services;
2. Opposed to adding an administrator to direct ABA services
3. And opposed to Section 3 as written requiring that private school placements adhere to IDEA unless the language is changed to specifically identify how private schools that are not approved can comply with this law without adding cost to the private school program or to state oversight.

Senator Stillman, State Representative Fleishchmann and members of the Education Committee:

Thank you for the opportunity to provide testimony regarding SB 1105. I am in opposition to the proposed language in SB 1105 related to the provision of Applied Behavior Analysis (ABA) services for children with autism. Connecticut's children with autism will be harmed by this proposed modification to the law passed last year that was designed to ensure that ABA services were provided under the supervision of someone with at least the minimum level of training and experience necessary to competently provide these services.

The current law already provides for those who are not Board Certified Behavior Analysts or Board Certified Assistant Behavior Analysts, but who have ABA within their scope of practice to design and supervise ABA services.

The proposed modification would allow those who are not trained, experienced or credentialed to provide these critical and highly technical services. The modification states that services could be provided by those "including, but not limited to, persons employed as psychologists, speech therapists and positions requiring certification pursuant to section 10-145b with an endorsement in special education." While these professionals are part of the essential fabric of special education services for youngsters with autism, they are not specifically trained to provide ABA. This is completely contrary to the intent of the existing law, as well as detrimental to children with autism. Additionally, this language also would enable anyone with a special education endorsement who has any other certification whatsoever to provide these services regardless of whether or not it is within the scope of practice of their profession. Not only is this not in keeping with what constitutes an appropriate level of ABA training and technical expertise, it is not in keeping with existing certification regulations.

Would the State Department of Education let a SLP run a special education classroom, or a Special Education teacher provide speech services? No, they would not. Certification and the scope of practice of every other professional working with children with special needs are protected, and the same standards should be applied to those providing ABA services.

I operate a state approved private special education program for children with autism. I employ a psychologist, speech language pathologists, and special education teachers as well as behavior analysts. When the state approves programs like ours (and others including ACES, CREC River street, Giant Steps, The Gengras Center, Ben Bronz Academy, Ben Haven, and Meliora Academy) they ensure that only certified personnel are performing specific tasks associated with their certification. Only special education teachers can perform certain tasks, yet the state has approved our programs that include the provision of ABA services because they have determined that these services are not classified as those that are to be performed by psychologists, special education teachers or speech language pathologists.

Provision of ABA is not identified within the scope of practice of special education teachers.

In her 3/3/11 testimony, Mallory Buckingham, the VP of the CT Speech, Language & Hearing Association stated that SLP collaborate with behavior analysts and are sometimes obtaining a second certification as a Board Certified Behavior Analyst. I agree, and in fact my organization is providing training and supervision to SLP's and teachers seeking to become dually certified as Board Certified Behavior Analysts. However, if these professionals already had the course work or experience needed to obtain this certification these individuals would not be taking additional courses, supervised experiences or certification. There is a substantive difference in the scope of practice of these professions, and the training required to provide these complementary, yet different professional services.

Additionally, by adding another layer of supervision by requiring that a designated administrator direct ABA services - who also does not have to have any training in ABA - will make it more difficult to provide services and more expensive. From an Organization Behavior Management perspective, having two "bosses" in a hierarchy is a recipe for confusion and conflict.

Last year, the Education Committee unanimously supported the bill that is now PA 1075, all but 6 state representatives voted in favor, and the senate was unanimous. It is a good law as it is written, and already allows for those who are not Board Certified Behavior Analysts but who do have ABA within their scope of practice to provide these services. The proposed changes to ABA service provision in SB 1105 will harm Connecticut's most vulnerable children, and waste our tax dollars.

By ensuring that individuals who are working with our children with autism are qualified to do so, we can anticipate a cost savings in the future.

Lastly, I am concerned about the language relative to requiring private schools to comply with IDEA. While I think private schools should comply with IDEA, I am concerned because there is no mechanism in place to determine if a private school is in compliance other than via the state approval process. The state approval process cannot be applied to a new program until it has been in operation for a year with a minimum of 10 students. And, not all programs are ready to apply after one year, or can meet all of the requirements even if they are meeting IDEA requirements. There is no other means currently available to determine compliance, and I am concerned that this new language would prevent the creation of new school programs, which may actually violate the IDEA requirement of providing a continuum of services. I would suggest

that this section be modified to either require that a private school placement provide an attestation that they are in compliance and/or include a statement in their contract for services to that effect.

Yours truly,

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