



COMMISSIONER
Adelaide Horn

October 3, 2008

To: Home and Community-based Services (HCS) Providers and
Texas Home Living (TxHmL) Program Providers

Subject: Information Letter No. 08-143
Clarification Regarding Qualified Providers of the Behavioral Support Service Component

The purpose of this letter is to clarify the professional disciplines that are considered qualified providers of behavioral support services in the HCS and TxHmL Programs.

Per HCS rule §9.177 (i) (1-5), behavioral support may only be provided by those professionals who:

- are licensed as a psychologist in accordance with Chapter 501 of the Texas Occupations Code;
- are licensed as a psychological associate in accordance with Chapter 501 of the Texas Occupations Code;
- have been issued a provisional license to practice psychology in accordance with Chapter 501 of the Texas Occupations Code;
- are certified by the Texas Department of Aging and Disability Services (DADS) as described in §5.161 (relating to Texas Department of Mental Health and Mental Retardation (TDMHMR)-Certified Psychologist); or
- are certified as a behavior analyst by the Behavior Analyst Certification Board, Inc.

Per TxHmL Rule §9.579 (n) (1-4), behavioral support may only be provided by those professionals who are:

- licensed as a psychologist by the Texas State Board of Examiners of Psychologists;
- licensed as a psychological associate by the Texas State Board of Examiners of Psychologists and working under the supervision of a licensed psychologist;
- licensed as a psychological associate by the Texas State Board of Examiners of Psychologists or certified as a DADS-certified psychologist in accordance with §5.161 (relating to TDMHMR-Certified Psychologist) and working in a public agency; or
- certified as a behavior analyst by the Behavior Analyst Certification Board, Inc.

Please note that associate board certified analysts (BCaBAs) are not included in the list of qualified providers of behavioral support. Chapter 501 of the Texas Occupational Code requires a psychological associate, working for a private provider, to work under the supervision of a licensed psychologist.

If you have questions about this letter, please contact the HCS and TxHmL Policy Specialist at (512) 438-4512.

Sincerely,

[signature on file]

Michelle Dionne-Vahalik
Director
Community Services

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