

**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2063—Behavior Analyst
Advisory Board
Chapter 6—Standards of Practice**

PROPOSED AMENDMENT

20 CSR 2063-6.005 Ethical Rules of Conduct. The board is amending the purpose and section (2) and adding new section (16).

PURPOSE: This amendment adds new language on the use of restraints.

PURPOSE: This rule complies with section 337.310, RSMo which allows the [committee through the division] Behavior Analyst Advisory Board (board) through the State Committee of Psychologists (committee) to promulgate [ethical principles] a code of conduct governing the practice of behavior analysis.

(2) Definitions.

(G) Restraints—means any physical, chemical, or mechanical restriction on a person's freedom of mobility or movement, including, but not limited to:

1. Physical restraint—A personal restriction that reduces or prevents the ability of a client to move the torso, arms, legs, or head freely. Physical restraint does not include:

A. Briefly holding a client without undo force for instructional purposes or to calm them, taking a client's hand to transport or escort them safely, intervening in a fight, or using an assistive device prescribed pursuant to the client's treatment plan;

B. Obstructing the view of the face, or airway, impairing breathing, or causing asphyxia;

C. Putting pressure or weight or compression on the chest, lungs, sternum, diaphragm, back, abdomen, or genitals;

D. Obstructing the circulation of blood; and

E. Pushing on or into the mouth, nose, eyes, or face, a covering including, but not limited to, a pillow, blanket, towel, or washcloth.

2. Chemical restraint—a medication used to restrict or manage a client's behavior or freedom of movement.

3. Mechanical restraint—The use of a device or equipment to restrict a client's freedom of movement. Mechanical restraint does not include devices implemented by trained individuals used by the client as prescribed by a medical professional.

4. Seclusion—The involuntary confinement of a client alone in a room or area where the client cannot leave but that complies with the building code at the location. Seclusion does not include time-out, in-school suspension, or other disciplinary means.

[(G)](H) Supervision, supervisor, and supervisee—means any and all actions of a person (supervisor) overseeing a person (supervisee) regarding the provision of behavior analysis

services.

(16) Use of Restraints.

- (A) All providers licensed pursuant to sections 337.300 to 337.345, RSMo, and anyone working under the supervision of anyone licensed pursuant to sections 337.300 to 337.345, RSMo, shall only use restraints, as defined in 20 CSR 2063- 6.005(2) in an emergency situation where the client's behavior poses a serious, probable threat of imminent harm to self or others.**
- (B) Restraint or seclusion is never used as a means of coercion, discipline, convenience, or retaliation. Restraint or seclusion shall be clinically justified or behaviorally warranted if the client threatens the physical safety of self or others.**
- (C) Guidelines for the use of restraints shall be included in client treatment plans. Use of mechanical restraints must be prescribed by a medical professional and include a fade plan.**
- (D) Any and all use of restraints shall be documented in the client's record.**
- (E) All individuals implementing any type of restraint shall be trained in a recognized crisis training program. Anyone receiving training shall maintain proof of training and submit it to the board or committee upon request.**

AUTHORITY: section 337.310.2., RSMo 2016. Original rule filed Sept. 5, 2013, effective April 30, 2014. Amended: Filed April 19, 2021, effective Oct. 30, 2021. Amended: Filed Aug. 20, 2024.*

PUBLIC ENTITY COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Behavior Analyst Advisory Board, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-526-0661 or via email at scop@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*