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DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-26-12
Baltimore, Maryland 21244-1850



Regional Operations Group

February 22, 2019

Roderick Bremby, Commissioner
Department of Social Services
55 Farmington Avenue
Hartford, CT 06105

Dear Commissioner Bremby:

We are pleased to enclose via email a copy of approved Connecticut State Plan Amendment (SPA) No. 18-0033, submitted to my office on December 27, 2018 and approved on February 7, 2019.

This SPA amends Attachments 3.1-A and 3.1-B of the Medicaid State Plan to update the coverage description for Early Intervention Services (EIS) pursuant to Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services as follows. Under recently amended state law, Board Certified Behavior Analysts (BCBAs) are now licensed by the Department of Public Health as Licensed Behavior Analysts (LBAs).

This SPA adds LBAs to the list of qualified licensed practitioners who may be on the Individualized Family Service Plan (IFSP) team and also makes technical changes throughout the Plan to reflect the licensure of LBAs.

This SPA also adjusts the soft limit on developmental evaluations to enable them to be provided more frequently without prior authorization.

This SPA's approval is effective October 1, 2018, as requested by the State.

Changes are reflected in the following sections of your approved State Plan:

- Addendum Page 2(f)6 to Attachment 3.1A and 3.1B
- Addendum Page 2(f)7 to Attachment 3.1A and 3.1B
- Addendum Page 2(f)8 to Attachment 3.1A and 3.1B
- Addendum Page 2(f)9 to Attachment 3.1A and 3.1B
- Addendum Page 2(f)14 to Attachment 3.1A and 3.1B
- Addendum Page 2(f)16 to Attachment 3.1A and 3.1B
- Addendum Page 2(f)17 to Attachment 3.1A and 3.1B

If you have any questions regarding this matter you may contact Marie DiMartino (617) 565-9157 or by e-mail at Marie.DiMartino@cms.hhs.gov

Sincerely,

/S/

Richard R. McGreal
Director
Division of Medicaid
Field Operations East

**TRANSMITTAL AND NOTICE OF APPROVAL
OF STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE AND MEDICAID SERVICES**1. TRANSMITTAL NUMBER:
18-0033

2. STATE: CT

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE
SOCIAL SECURITY ACT (MEDICAID)TO: REGIONAL ADMINISTRATOR, CENTERS FOR MEDICARE
AND MEDICAID SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES4. PROPOSED EFFECTIVE DATE
October 1, 2018

5. TYPE OF STATE PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:
Section 1905(a)(4)(B) of the Social Security Act and
42 CFR 440.40(b)7. FEDERAL BUDGET IMPACT:
a. FFY 2019 \$0
b. FFY 2020 \$0

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Add. Pgs 2(f)6,7,8,9, 14,16, 17 to Attachment 3.1-A
Add. Pgs 2(f)6,7,8,9,14,16,17 to Attachment 3.1-B9. PAGE NUMBER OF THE SUPERSEDED PLAN
SECTION OR ATTACHMENT (If applicable)Add. Pgs 2(f)6,7,8,9,14,16,17 to Attachment 3.1-A
Add. Pgs 2(f)6,7,8,9,14,16,17 to Attachment 3.1-B

10. SUBJECT OF AMENDMENT: Effective October 1, 2018, SPA 18-0033 amends Attachments 3.1-A and 3.1-B of the Medicaid State Plan to update the coverage description for Early Intervention Services (EIS) pursuant to Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services as follows. Under recently amended state law, Board Certified Behavior Analysts (BCBAs) are now licensed by the Department of Public Health as Licensed Behavior Analysts (LBAs). This SPA adds LBAs to the list of qualified licensed practitioners who may be on the Individualized Family Service Plan (IFSP) team and also makes technical changes throughout the Plan to reflect the licensure of LBAs. This SPA also adjusts the soft limit on developmental evaluations to enable them to be provided more frequently without prior authorization.

11. GOVERNOR'S REVIEW (Check One):

☒ GOVERNOR'S OFFICE REPORTED NO COMMENT
☐ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
☐ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL:

/S/

TYPED NAME: Roderick L. Bremby

14. TITLE: Commissioner

15. DATE SUBMITTED:
December 27, 2018

16. RETURN TO:

State of Connecticut
Department of Social Services
55 Farmington Avenue, 9th Floor
Hartford, CT 06105
Attention: Ginny Mahoney, Medical Policy**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED: December 27 2018

18. DATE APPROVED: February 7, 2019

PLAN APPROVED – ONE COPY ATTACHED19. EFFECTIVE DATE OF APPROVED MATERIAL:
October 1, 201820. SIGNATURE OF REGIONAL OFFICIAL:
/S/

21. TYPED NAME: Richard R. McGreal

22. TITLE: Director
Division of Medicaid Field Operations East

23. REMARKS:

State: CONNECTICUT
AMOUNT, DURATION AND SCOPE OF SERVICES PROVIDED
CATEGORICALLY NEEDY GROUP(S): ALL

Early Intervention Services (EIS) Pursuant to EPSDT

licensed practitioner, physical therapy, occupational therapy services and/or services for individuals with speech, hearing, and language disorders pursuant to sections 1905(a)(5), (6), (11) or (21), as applicable to the provider; and/or (iii) preventive services in accordance with section 1905(a)(13)(C) and 42 C.F.R. § 440.130(c).

Comprehensive multi-disciplinary evaluations are conducted to determine each child's developmental status, including related physical and mental conditions. Each evaluation shall consider each child's unique needs. All evaluations are multi-disciplinary and more than one type of practitioner may be present at the same time or at different times as appropriate and necessary to evaluate areas of development, including, but not limited to, communication, cognition, adaptive skills, social-emotional skill, and physical development including motor skills, hearing, nutrition, vision and any other appropriate area. Such evaluation is necessary to determine if: EIS is medically necessary for a child and, if so, to determine which areas of development should be further assessed to determine specific recommended EIS as necessary to meet each child's unique needs. If indicated by the evaluation, the EIS Program shall refer the child for an assessment.

- a. Qualified Practitioner: Within an EIS Program, the following individual providers are qualified to perform evaluations within each individual's scope of practice (see section C below for detailed descriptions, qualifications, and cross-references to the applicable benefit category for each type of individual provider):

- Audiologists,
- Audiologists – Clinical Fellowship Year (CFY),
- LBAs,
- Developmental Therapists,
- Developmental Therapy Specialists,
- LMFTs,
- LMFT Interns,
- LPCs,
- LPC Interns,

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- APRNs,
- RNs,
- Occupational Therapists,
- Optometrists,
- Physical Therapists,
- Physicians,
- Physician Assistants,
- Licensed Psychologists,
- Licensed Psychologist Interns,
- LCSWs,
- LCSW Interns,
- LMSWs,
- Speech and Language Pathologists, and
- Speech and Language Pathologists – CFY.

- b. Limitation: A subsequent developmental evaluation may not be completed less than one month after a prior developmental evaluation was completed, which may be exceeded with prior authorization based on medical necessity.

2. Assessments

- a. Description: Assessments are provided as (i) EPSDT diagnostic services pursuant to sections 1905(a)(4)(B) and sections 1905(r)(2), (3), or (4); (ii) physician, other licensed practitioner, physical therapy, occupational therapy services and/or services for individuals with speech, hearing, and language disorders pursuant to sections 1905(a)(5), (6), (11) or (21), as applicable to the provider; and/or (iii) preventive services in accordance with section 1905(a)(13)(C) and 42 C.F.R. § 440.130(c).

Based on the recommendations of the evaluation, initial and ongoing assessments are conducted to determine the frequency, intensity, duration, and type of EIS needed. Assessments are necessary in order to enable the provider to develop, implement, and update the IFSP.

Assessments focus on areas and conditions identified in the evaluation and are used to determine specific services that are medically

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necessary to address, for example, identified hearing and vision impairments and autism spectrum disorder. Assessments must be performed at least annually. In addition, assessments, including new or repeated components of an assessment, may be performed, updated and/or repeated as medically necessary for a child. A non-exclusive example of circumstances under which a new assessment could be provided is where there are delays in other areas of development than the focus of initial or earlier assessments.

- b. Qualified Practitioners: Within an EIS Program, the following practitioners are qualified to perform assessments within such individual's scope of practice (see section C below for detailed descriptions, qualifications, and cross-references to the applicable benefit category for each type of individual practitioner):

- Assistive Technology Professionals,
- Audiologists,
- Audiologists – CFY,
- LBAs,
- Developmental Therapists,
- Developmental Therapy Specialists,
- LMFTs,
- LMFT Interns,
- APRNs,
- RNs,
- Licensed Professional Counselors,
- Licensed Professional Counselor Interns,
- Occupational Therapists,
- Optometrists,
- Opticians,
- Physical Therapists,
- Physicians,
- Physician Assistants,
- Licensed Psychologists,
- Licensed Psychologist Interns,

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- LCSWs,
- LMSWs,
- LCSW Interns,
- Speech and Language Pathologists, and
- Speech and Language Pathologists – CFY

4. IFSP Planning

- a. Description: IFSP planning is provided as (i) physician, other licensed practitioner, physical therapy, occupational therapy services and/or services for individuals with speech, hearing, and language disorders pursuant to sections 1905(a)(5), (6), (11) or (21), as applicable to the provider; and/or (ii) preventive services in accordance with section 1905(a)(13)(C) and 42 C.F.R. § 440.130(c).

This service includes one or more of the practitioners listed below attending and participating in IFSP planning meetings and completing individual evaluation and treatment recommendations that may be included in the IFSP. Based on the assessment, the practitioner codifies the evaluation and treatment recommendations in the IFSP to determine and outline the individualized goals, objectives, and strategies for treatment, including specific types, frequency, intensity, and duration of recommended EIS treatment services. All IFSP-related services are multi-disciplinary and more than one type of practitioner may be present at the same time or at different times as clinically appropriate and necessary to participate in IFSP planning and to codify evaluation and treatment recommendations in the IFSP. The IFSP is planned in collaboration with the child's caregivers and a multi-disciplinary team that includes professionals appropriate to determine each child's unique needs. In order to ensure that the IFSP is recommended by at least one physician or other licensed practitioner in accordance with 42 CFR 440.130(c), the IFSP team shall include at least one of the following licensed practitioners: audiologist, licensed marital and family therapist, advanced practice registered nurse, registered nurse, occupational therapist, optometrist, physical therapist, physician, physician assistant, licensed professional counselor, LBA,

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- a. Licensed Practitioners: Each of the following licensed practitioners are licensed by the Department of Public Health in accordance with the requirements applicable to that practitioner type as set forth in more detail in the applicable section of Attachment 3.1-A of the Medicaid State Plan in which and to the extent such practitioner could separately enroll and bill for providing Medicaid services, if applicable. As described in those sections, each of the following practitioners is licensed only after meeting the education, experience, and exam requirements as set forth in the licensure requirements under state law for that practitioner type.

Audiologists; Occupational Therapists; Physical Therapists; and Speech and Language Pathologists: Qualifications are the same as described in section 11 of Attachment 3.1-A (section 1905(a)(11)). These qualifications provide such individuals with specific training and expertise in developmental function and relevant treatments, which gives them expertise in evaluating, assessing, and treating developmental delays and disabilities which enables them to be qualified to perform the services that they are permitted to perform in accordance with this section.

Audiologists – Clinical Fellowship Year (CFY); and Speech and Language Pathologists – CFY: Individual has graduated with a degree that qualifies towards licensure as an audiologist or speech and language pathologist and is working towards licensure during the clinical fellowship year under the supervision of an audiologist or speech and language pathologist, as applicable (section 1905(a)(11) or 1905(a)(13)(C)). These qualifications provide such individuals with specific training and expertise in developmental function and relevant treatments, which gives them expertise in evaluating, assessing, and treating developmental delays and disabilities which enables them to be qualified to perform the services that they are permitted to perform in accordance with this section.

Physical Therapy Assistants and Occupational Therapy Assistants: Licensed by the Department of Public Health as a physical therapy assistant or occupational therapy assistant and working under the supervision of a physical therapist or occupational therapist, as applicable (section 1905(a)(11)).

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treating developmental delays and disabilities which enables them to be qualified to perform the services that they are permitted to perform in accordance with this section.

Registered Nurses (RNs): Licensed by the Department of Public Health as an RN (section 1905(a)(6)). These qualifications provide such individuals with expertise in developmental function and relevant treatments within the scope of each practitioner's field, which gives them expertise in evaluating, assessing, and treating developmental delays and disabilities which enables them to be qualified to perform the services that they are permitted to perform in accordance with this section.

Licensed Practical Nurses (LPNs): Licensed by the Department of Public Health as an LPN and working under the supervision of an RN (section 1905(a)(6)). These qualifications provide such individuals with expertise in developmental function and relevant treatments within the scope of each practitioner's field, which gives them expertise in evaluating, assessing, and treating developmental delays and disabilities which enables them to be qualified to perform the services that they are permitted to perform in accordance with this section.

Opticians: Licensed by the Department of Public Health as an optician (section 1905(a)(6)). These qualifications provide such individuals with specific training and expertise in visual impairments and treatments which enables them to be qualified to perform such services related to development regarding visual impairments.

Licensed Behavior Analysts (LBAs): Licensed by the Department of Public Health as a behavior analyst (section 1905(a)(6)), which is conditioned on such individual being certified as a Board Certified Behavior Analyst (BCBA) by the Behavior Analyst Certification Board (BACB) (section 1905(a)(13)(C)). As part of this certification, in general, the BACB requires a relevant graduate degree with specified academic content, passing an exam, and experience in one of the following: (1) intensive practicum, which involves completing, with a passing grade, 750 hours of intensive practicum in behavior analysis within a university practicum program approved by the

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BACB and taken for graduate academic credit; (2) 1,500 hours of supervised independent fieldwork in behavior analysis; or (3) 1,000 hours of practicum in behavior analysis within a university practicum program approved by the BACB and taken for graduate academic credit. These qualifications provide such individuals with specific training and expertise in autism, behavior management, developmental delays and disabilities, which enables them to be qualified to perform such services.

b. Non-Licensed Practitioners

Board Certified Assistant Behavior Analyst (BCaBA): Certified as a BCaBA by the Behavior Analyst Certification Board (section 1905(a)(13)(C)). As part of this certification, in general, the BACB requires a bachelor's degree plus successful completion of specified courses, passing an exam, and experience in one of the following: (1) intensive practicum, which involves completing, with a passing grade, 500 hours of intensive practicum in behavior analysis within a university practicum program approved by the BACB and taken for academic credit; in order to count experience hours within any given supervisory period, which is of a one-week duration, supervisees must be supervised at least twice during that period for no less than 10% of the total hours spent in intensive practicum; (2) 1,000 hours of supervised independent fieldwork in behavior analysis; in order to count experience hours within any given supervisory period, which is of a two-week duration, supervisees must be supervised at least once during that period for no less than 5% of the total hours spent in Supervised Independent Fieldwork; or (3) a practicum, in which supervisees must complete, with a passing grade, 670 hours of practicum in behavior analysis within a university practicum program approved by the BACB and taken for academic credit; in order to count experience hours within any given supervisory period, which is of a one-week duration, supervisees must be supervised at least once during that period for no less than 7.5% of the total hours spent in Practicum. These qualifications provide such individuals with specific training and expertise in autism, behavior management, developmental delays and disabilities, which enables them to be qualified to perform such services.

Developmental Therapists: Individuals with a Bachelor's or Master's degree in a human services field and who are certified by the Connecticut Department

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licensed practitioner, physical therapy, occupational therapy services and/or services for individuals with speech, hearing, and language disorders pursuant to sections 1905(a)(5), (6), (11) or (21), as applicable to the provider; and/or (iii) preventive services in accordance with section 1905(a)(13)(C) and 42 C.F.R. § 440.130(c).

Comprehensive multi-disciplinary evaluations are conducted to determine each child's developmental status, including related physical and mental conditions. Each evaluation shall consider each child's unique needs. All evaluations are multi-disciplinary and more than one type of practitioner may be present at the same time or at different times as appropriate and necessary to evaluate areas of development, including, but not limited to, communication, cognition, adaptive skills, social-emotional skill, and physical development including motor skills, hearing, nutrition, vision and any other appropriate area. Such evaluation is necessary to determine if: EIS is medically necessary for a child and, if so, to determine which areas of development should be further assessed to determine specific recommended EIS as necessary to meet each child's unique needs. If indicated by the evaluation, the EIS Program shall refer the child for an assessment.

- c. Qualified Practitioner: Within an EIS Program, the following individual providers are qualified to perform evaluations within each individual's scope of practice (see section C below for detailed descriptions, qualifications, and cross-references to the applicable benefit category for each type of individual provider):

- Audiologists,
- Audiologists – Clinical Fellowship Year (CFY),
- LBAs,
- Developmental Therapists,
- Developmental Therapy Specialists,
- LMFTs,
- LMFT Interns,
- LPCs,
- LPC Interns,

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- APRNs,
- RNs,
- Occupational Therapists,
- Optometrists,
- Physical Therapists,
- Physicians,
- Physician Assistants,
- Licensed Psychologists,
- Licensed Psychologist Interns,
- LCSWs,
- LCSW Interns,
- LMSWs,
- Speech and Language Pathologists, and
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- d. Limitation: A subsequent developmental evaluation may not be completed less than one month after a prior developmental evaluation was completed, which may be exceeded with prior authorization based on medical necessity.

3. Assessments

- a. Description: Assessments are provided as (i) EPSDT diagnostic services pursuant to sections 1905(a)(4)(B) and sections 1905(r)(2), (3), or (4); (ii) physician, other licensed practitioner, physical therapy, occupational therapy services and/or services for individuals with speech, hearing, and language disorders pursuant to sections 1905(a)(5), (6), (11) or (21), as applicable to the provider; and/or (iii) preventive services in accordance with section 1905(a)(13)(C) and 42 C.F.R. § 440.130(c).

Based on the recommendations of the evaluation, initial and ongoing assessments are conducted to determine the frequency, intensity, duration, and type of EIS needed. Assessments are necessary in order to enable the provider to develop, implement, and update the IFSP. Assessments focus on areas and conditions identified in the evaluation and are used to determine specific services that are medically

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- RNs,
- Licensed Professional Counselors,
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- Opticians,
- Physical Therapists,
- Physicians,
- Physician Assistants,
- Licensed Psychologists,
- Licensed Psychologist Interns,

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- LCSWs,
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- Speech and Language Pathologists, and
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4. IFSP Planning

- a. Description: IFSP planning is provided as (i) physician, other licensed practitioner, physical therapy, occupational therapy services and/or services for individuals with speech, hearing, and language disorders pursuant to sections 1905(a)(5), (6), (11) or (21), as applicable to the provider; and/or (ii) preventive services in accordance with section 1905(a)(13)(C) and 42 C.F.R. § 440.130(c).

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- c. Licensed Practitioners: Each of the following licensed practitioners are licensed by the Department of Public Health in accordance with the requirements applicable to that practitioner type as set forth in more detail in the applicable section of Attachment 3.1-A of the Medicaid State Plan in which and to the extent such practitioner could separately enroll and bill for providing Medicaid services, if applicable. As described in those sections, each of the following practitioners is licensed only after meeting the education, experience, and exam requirements as set forth in the licensure requirements under state law for that practitioner type.

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Registered Nurses (RNs): Licensed by the Department of Public Health as an RN (section 1905(a)(6)). These qualifications provide such individuals with expertise in developmental function and relevant treatments within the scope of each practitioner's field, which gives them expertise in evaluating, assessing, and treating developmental delays and disabilities which enables them to be qualified to perform the services that they are permitted to perform in accordance with this section.

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Opticians: Licensed by the Department of Public Health as an optician (section 1905(a)(6)). These qualifications provide such individuals with specific training and expertise in visual impairments and treatments which enables them to be qualified to perform such services related to development regarding visual impairments.

Licensed Behavior Analysts (LBAs): Licensed by the Department of Public Health as a behavior analyst (section 1905(a)(6)), which is conditioned on such individual being certified as a Board Certified Behavior Analyst (BCBA) by the Behavior Analyst Certification Board (BACB) (section 1905(a)(13)(C)). As part of this certification, in general, the BACB requires a relevant graduate degree with specified academic content, passing an exam, and experience in one of the following: (1) intensive practicum, which involves completing, with a passing grade, 750 hours of intensive practicum in behavior analysis within a university practicum program approved by the

State: CONNECTICUT**AMOUNT, DURATION AND SCOPE OF SERVICES PROVIDED****MEDICALLY NEEDY GROUP(S): ALL****Early Intervention Services (EIS) Pursuant to EPSDT**

BACB and taken for graduate academic credit; (2) 1,500 hours of supervised independent fieldwork in behavior analysis; or (3) 1,000 hours of practicum in behavior analysis within a university practicum program approved by the BACB and taken for graduate academic credit. These qualifications provide such individuals with specific training and expertise in autism, behavior management, developmental delays and disabilities, which enables them to be qualified to perform such services.

d. Non-Licensed Practitioners

Board Certified Assistant Behavior Analyst (BCaBA): Certified as a BCaBA by the Behavior Analyst Certification Board (section 1905(a)(13)(C)). As part of this certification, in general, the BACB requires a bachelor's degree plus successful completion of specified courses, passing an exam, and experience in one of the following: (1) intensive practicum, which involves completing, with a passing grade, 500 hours of intensive practicum in behavior analysis within a university practicum program approved by the BACB and taken for academic credit; in order to count experience hours within any given supervisory period, which is of a one-week duration, supervisees must be supervised at least twice during that period for no less than 10% of the total hours spent in intensive practicum; (2) 1,000 hours of supervised independent fieldwork in behavior analysis; in order to count experience hours within any given supervisory period, which is of a two-week duration, supervisees must be supervised at least once during that period for no less than 5% of the total hours spent in Supervised Independent Fieldwork; or (3) a practicum, in which supervisees must complete, with a passing grade, 670 hours of practicum in behavior analysis within a university practicum program approved by the BACB and taken for academic credit; in order to count experience hours within any given supervisory period, which is of a one-week duration, supervisees must be supervised at least once during that period for no less than 7.5% of the total hours spent in Practicum. These qualifications provide such individuals with specific training and expertise in autism, behavior management, developmental delays and disabilities, which enables them to be qualified to perform such services.

Developmental Therapists: Individuals with a Bachelor's or Master's degree in a human services field and who are certified by the Connecticut Department

TN # 18-0033

Supersedes

TN # 17-0019

Approval Date 2/7/19 _____

Effective Date 10/01/2018