



March 12, 2019

Chair Monnes Anderson and Members of the Senate Health Care Committee,

The Confederation of Oregon School Administrators (COSA) is concerned that Senate Bill 135 will negatively impact school districts' ability to provide appropriate support to students.

Licensed ABA providers regularly consult, train, and delegate tasks to other education staff in our districts, much like licensed occupational therapists and school nurses. This bill would virtually eliminate that practice, severely limiting the access that students have to ABA services. This is a serious concern for our districts.

Additionally, this bill would make the provision of ABA services dramatically more expensive for school districts, meaning fewer students would be able to receive the service. Moreover, Oregon already has a shortage of licensed ABA providers, so by requiring that any and all ABA-related services be provided directly by a licensed ABA provider, many districts will be unable to provide any ABA services at all. These impacts would likely disproportionately affect rural school districts.

Additionally, because school districts employ and contract with ABA licensed providers, this bill would create a civil penalty structure where one government agency (the Health Licensing Office) would levy fines against another government agency (local education agencies). The language in statute for violations that would trigger a fine is unclear. These civil monetary penalties provide a serious disincentive for districts to use licensed ABA providers at all.

School districts across Oregon use Applied Behavior Analysis (ABA) to help students be successful in school. ABA is one tool available to support special education students, and it is important to school and district leaders that this tool continue to be available to help students succeed and develop socially and academically. We are concerned that, in practice, this bill will drastically reduce or eliminate these services in many schools.

We are not opposed to a statewide discussion on the role of ABA services in schools. In fact, a workgroup or task force with participation from all relevant stakeholders would help Oregon develop a thoughtful statewide regulatory framework that serves the best interests of students. We encourage the committee to consider this option moving forward.

Thank you for your consideration, and we are happy to answer any questions you may have.

Best,

The Confederation of Oregon School Administrators