



TITLE	POLICY NUMBER	
Restrictive Behavior Management- Child Welfare Licensing (CWL)	DCS 15-38	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Office of Licensing and Regulation (OLR)	03/08/19	1

**I. POLICY STATEMENT**

The Department of Child Safety (DCS) Office of Licensing and Regulation (OLR) is committed to the safety and well-being of children in care. The purpose of this policy is to guide the responsible authorities to ensure that licensees comply with rules pertaining to behavior management, specifically restrictive behavior management/physical restraints.

**II. APPLICABILITY**

This policy applies to the holders of all licenses issued under [Arizona Administrative Code \(A.A.C.\) Title 6, Chapter 5, Article 74](#), any and all staff (paid or unpaid), and respite caregivers employed, utilized, or selected by the licensee.

**III. AUTHORITY**

<a href="#">A.R.S. § 8-501(A)(15)</a>	Definitions
<a href="#">A.R.S. § 8-503</a>	Powers and duties
<a href="#">A.R.S. § 8-505</a>	Issuance of licenses; application; investigation; renewal
<a href="#">A.A.C. R6-5-7433</a>	Orientation and Training for Staff
<a href="#">A.A.C. R6-5-7434</a>	Notification of Unusual Incidents and Other Occurrences

#### IV. DEFINITIONS

Crisis Intervention or Crisis Prevention training: A curriculum focused on both verbal and physical intervention techniques to calm, de-escalate, control, or contain an individual who is in crisis as demonstrated by agitated, hostile, or aggressive behavior.

De-escalation: A method of verbal communication or non-verbal signals and actions, or a combination of signals and actions that interrupt a child's behavior crisis and calm the child.

Restrictive behavior management: An intervention or procedure that attempts to guide, redirect, modify, or manage behavior through the use of any of the following:

- Chemical restraint: the use of any over-the-counter or prescription medication for the purpose of restraining or sedating a foster child without a physician's order.
- Mechanical restraint: the use of an article, device, or garment that:
  - restricts a foster child's mobility, freedom of movement, or the movement of a portion of a child's body;
  - cannot be removed by the foster child; but
  - does not include an orthopedic, surgical, or medical device that allows a foster child to heal from a medical condition or to participate in a treatment program.
- Physical escort: the temporary touching or holding a foster child's hand, wrist, arm, shoulder, or back to induce the child to walk to a safe location.
- Physical restraint: the application of physical force to reduce or restrict a foster child's ability to freely move the child's arms, legs or head.

#### V. POLICY

OLR shall monitor and verify that a licensee complies with behavior management techniques, and the licensee has provided the required training on behavior management techniques to their staff. OLR shall verify compliance by monitoring visits, investigations, licensing issues, and interviews with private agency's staff and DCS youth. OLR shall verify a licensee was in compliance anytime the licensee used a physical restraint on a DCS youth in their care.

Physical restraint shall only be applied in the least restrictive manner possible. Additionally, it shall also be applied only by an individual who has completed in-person crisis intervention training pursuant to [A.A.C. R6-5-7433](#) and when:

- A. the child's behavior escalates, putting themselves or others in imminent physical danger;
- B. verbal de-escalation and other non-physical interventions fail to prevent or deter the imminent danger; and
- C. its use is based on the protection of persons rather than the protection of material goods; and
- D. it is not used for convenience or as discipline.

## **VI. PROCEDURES**

- A. OLR staff shall monitor and verify that an applicant or licensee has written behavior management policies and procedures compliant with [A.A.C. R6-5-7456](#) when:
  - 1. an applicant submits an application for licensure;
  - 2. a licensee submits an application for renewal; or
  - 3. DCS receives a complaint regarding restraints pertaining to a youth in care.
- B. OLR designated staff shall verify the applicant's or licensee's behavior management policies and procedures to ensure compliance with [A.A.C. R6-5-7456](#) prior to issuing an initial or renewal license.
- C. If a physical restraint is used, an incident report must be completed and submitted to OLR regardless of whether any injury occurred as a result of the restraint. OLR staff shall notify the OLR assigned specialist if the agency submitted an incident report form regarding restraint to [olrincidentreportcw1@azdcs.gov](mailto:olrincidentreportcw1@azdcs.gov). OLR staff may issue a correspondence letter citing a violation if an incident report form was not submitted timely or was incomplete.

- D. OLR staff may audit a licensee if they use restraints on youth in care. To assure the licensee followed their internal policy as well as the DCS/OLR policy, OLR staff may review the following regarding the use of restraints:
1. consistency with the program's description and purpose;
  2. consistency with the licensee's policies and procedures;
  3. whether staff is trained/certified and whether their documentation is on file;
  4. incident reports;
  5. police reports;
  6. investigative reports;
  7. other pertinent information as necessary.
- E. OLR staff shall document any violations identified pertaining to restraints and may issue a correspondence letter citing the violation. Supporting documentation shall be saved to the licensee's electronic file.

## **VII. FORMS INDEX**

[Incident Report for Children in the Custody and Care of DCS \(CSO-1151A\)](#)