

Bureau of Behavioral Support
NEW MEXICO HEALTH CARE AUTHORITY – DEVELOPMENTAL DISABILITIES SUPPORTS DIVISION

Response Cost Guidelines

Purpose: The purpose of these guidelines is to provide a set of considerations and requirements for behavior support consultants and/or interdisciplinary teams when certain types of behavioral interventions are proposed.

Definition: Response cost is defined as “the contingent loss of reinforcers (e.g. a fine) producing a decrease of the frequency of behavior; a form of negative punishment” (Cooper, Heron, & Heward, 2007, p. 703).

Types: Programmed or required response cost programming can run a continuum from:

- Contingent loss of time at an activity (e.g. 5 minutes less at an activity for each supposed infraction).
- Contingent removal of all or part of a desired item (e.g. ‘no dessert if you...’).
- Contingent loss of monies (e.g. a monetary fine or repayment program). **See specific guidelines on *Restitution Programs*.**

Ethics: It is your responsibility to engage in a careful, considered, and documented effort towards ensuring the least restrictive intervention(s) and environments for all individuals you support. This is perhaps better described as a constant endeavor to seek and create ‘the most supportive environment’. As such, the use of restitution presents an area of ethical concern as:

- **Per Cooper, Heron, & Heward (2007), “[i]n some situations...removing unconditioned and conditioned reinforcers from a person would be considered legally and ethically inappropriate or undesirable. For instance, it would be inadvisable to take structured or free time from a person with developmental disabilities. To avoid any potential problems, practitioners must obtain permission from the local human rights review committee or modify the response cost contingency” (p. 367).**
- Response cost is considered a possible form of punishment.
- Response cost is considered a possible aversive intervention.
 - We frame it as a ‘possible’ punishment because in order to *be* a punishment (per the Applied Behavior Analysis definition: Cooper, Heron, & Heyward, 2007) there would have to be evidence that the instigation/application of a restitution program has resulted in a clear reduction in future events.
 - At times, the application of an intervention intended to be a way to lessen the frequency or intensity of a challenging behavior *may result in the behavior of concern becoming worse or emergence of other new or novel types of challenging behavior*.
 - Remember – in using the term ‘challenging behavior’ – the challenge is ours – to creatively develop systems of supports that address what is important *for* an individual as well as what is important *to* the individual.
- Unless or until there are data indicating a reduction in frequency, severity, and/or duration *along with* no overt unintended or other side effects (e.g. secondary aggression), the

intervention is simply a consequence without clinical utility, could be considered a form of abuse, and should be reported as such.

- If less restrictive means have not been attempted first (and not just once or a few times but until the data indicate a clear lack of effect) then the process of ensuring a person's right to least restrictive interventions may not be considered complete. This is an *ongoing* process.

Prior to instigating any response cost program, the following several areas should be considered, addressed, and documented.

- **What is the *need* that the individual may be expressing via the behavior of concern?**
 - Remember: "Our energies are better put to eliminating the *need* for difficult behavior than in trying simplistically to eliminate the behavior itself" (Lovett, 1996, p. 94).
 - Never give up on efforts toward this goal.
 - Does the person 'have a life'? Would you trade positions with him/her? What might you do if in his/her position? What would you want to happen if you were in his/her position?
 - Functional assessment? Topography, Precursors, Antecedents, Levels of Severity, Possible Functions?
- **Have you collected/documented/charted data?**
 - With what variables? Frequency, Severity, Duration of events?
 - Without clear baseline data it will be impossible to judge effect of any interventions.
 - Destructive or harmful (physical or emotional) events can lead to a lot of intense emotions for all involved. Intense emotions may lead to 'snap' decisions and poorly thought out programs that do more to address *our* emotions than the actual situation at hand. Careful use of data may, at times, help to cool the emotional content of these situations.
 - We should also pay equal, if not greater attention to data regarding other areas of the person's life:
 - How often does s/he get to do the things s/he likes? Without having to 'earn' these events? Without the threat of 'losing' them?
 - How often does s/he have periods of time wherein there are no demands or expectations?
 - How many friends or familiar community contacts does s/he have?
- **Is there a clear definition of what constitutes 'an event'?**
 - For example – Mikela yells at, swears, and threatens a person providing support about 10 times in one minute. She walks away for 3 minutes and then returns and begins again for another 15 threats in 2 minutes.
 - Does this count as 25 incidences and thus equate the loss of 25 iterations of reinforcement (e.g., points)? If so, this six-minute period effectively negates all of the work the person did to earn the 25 points, minutes etc.
 - The application of fines related to 'points earned' is a clear stressor for most people. Increased stress often leads to increased behavioral expression. In these cases, the intervention may actually end up increasing the severity or frequency of the types of events you are hoping to eliminate.

- Alternately, for Mikela, you could define ‘incidents’ as periods of verbal threatening that are separated by periods of absence of this behavior – say 10-15 minutes.
 - Therefore, in the above scenario, the 25 threats would be one incident, and the cost, one level of fine.
 - If Mikela were to return to a calm state for 10 minutes and then begin threatening again - this could be a second incident.
 - In this way, the ‘lesson’ of your response remains, but the overall cost does not become insurmountable or completely morale killing.
- **Is the program such that the person would ‘dig themselves into a hole’ they cannot escape?**
 - For example – if an individual has a pattern of frequent events that may lead to loss of points or other reinforcers and the amount to be repaid is *per event* – this could rapidly escalate into the individual having zero or less than zero points. In these cases, you must carefully consider:
 - The individual has worked to earn the reinforcer(s) (i.e. points, time, money) and now the reinforcer(s) is/are taken away.
 - This is akin to removing part of your paycheck from *last week* secondary to something you did *today*. Would you accept this in your own life?
 - Any intervention you would not accept in your own life should never be applied to a person with a disability.
 - Also, once the opportunity to earn is lost, or the response cost has wiped out all ‘savings’, the individual is very unlikely to continue to work towards goals (Alberto & Troutman, 2009).
 - The individual who ‘gives up’ on a program is not ‘a failure’. The program itself is the location of failure.
 - BE AWARE: It is common for the response in these situations to involve *increasing the fine* in an attempt to ‘make it more meaningful’ or ‘powerful’.
 - This is akin to talking louder or yelling at a person who does not speak your language in order to ‘make them understand’. The message still does not get through and you simply appear disrespectful.
 - To continue application of any potentially aversive program without clear evidence that there is effect may be considered abuse and should be reported as such.
- **Has the response cost program been explained to/understood by the individual?**
 - How has this been determined/documentated?
 - A restitution program should never be instigated ‘on the fly’ or without the informed consent/assent of the individual.
- **How will the ‘lost’ items/points be handed over?**
 - Will the removal of the reinforcer lead to anger, aggression, further incidents that would therefore ‘cost more points etc.’

- **Is this approved by the HRC?**
 - Quarterly at a minimum.
 - With your participation.
 - Documented.
- **What is the plan going forward to fade/replace/avoid situations (antecedents)?**
 - In general – there is a risk that these types of programs ‘take on a life of their own’ and could remain in place for years after initiation.
 - The team’s responsibility is to create an environment and support system that minimizes the likelihood of reoccurrence via ongoing, continuous, and creative attempts to address the underlying needs the individual may be expressing.

References

- Alberto, P. A., & Troutman, A. C. (2009). *Applied behavior analysis for teachers* (8th Ed.). Upper Saddle River, NJ: Pearson.
- Cooper, J. O., Heron, T. E., & Heward, W. L. (2007). *Applied behavior analysis* (2nd Ed.). Upper Saddle River, NJ: Pearson.
- Lovett, H. (1996). *Learning to listen: Positive approaches and people with difficult behavior*. Baltimore, MD: Paul H. Brookes.