

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: SB210

Patron: DeSteph

Bill Title: Positive behavior support facilitators; scope of practice, supervision, and qualifications.

Bill Summary: Adds positive behavior support facilitators to the professions governed by the Board of Counseling. The bill establishes qualification, scope of practice, and supervision requirements and directs the Board of Counseling to adopt regulations governing positive behavior support facilitators. The bill also directs the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services to promulgate regulations that align with the regulations adopted by the Board of Counseling in accordance with the bill.

Budget Amendment Necessary: No

Items Impacted: n/a

Fiscal Summary: Any fiscal impact associated with the initial establishment of this registration category and/or the registration of current practitioners is expected to be absorbable within existing resources. Should the number of prospective positive behavior support facilitators applying for registration increase, there may be a fiscal impact to the Department of Health Professions; however, the number of such practitioners who may apply for such registration and the extent of such costs are indeterminate at this time.

Fiscal Analysis: This legislation establishes positive behavior support (PBS) facilitators as a profession regulated by the Board of Counseling. The Board of Counseling is required to establish a registration application for PBS facilitators, promulgate regulations specifying education, supervision, and training requirements for PBS facilitators, and process and approve registration for qualified applicants.

According to 2025 data published by Virginia Commonwealth University, there are approximately 45 individuals who are considered to meet existing professional qualifications for PBS facilitators in Virginia. The Department of Health Professions reports that it is likely that the Board of Counseling can register these 45 individuals using existing resources. However, it is not known how many individuals may apply for registration as a PBS facilitator in the future, nor is it known whether practitioners in similar professions (such as applied behavioral analysts or qualified mental health providers) may pursue a secondary designation as a PBS facilitator. Should the number of applications for registration as a PBS facilitator increase significantly moving forward, the Board of Counseling may need additional positions or resources to process additional applications. It is expected that any costs to the Board of Counseling to promulgate new regulations reflecting this legislation will be minimal and absorbable within existing resources.

This legislation also requires the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services to promulgate new regulations through their respective health regulatory boards to align with the regulations promulgated by the Board of Counseling. It is expected that any costs associated with promulgating new regulations will be minimal and absorbable within existing resources.

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Other: n/a