DISABILITY RIGHTS
SOUTH CAROLINA

Behavior Support Plans (BSPs) for Clients of the SC Department of BHDD Office of Intellectual and Developmental Disabilities (OIDD)

What is a Behavior Support Plan (BSP)?

Behavior Support Plan (BSPs) help people who receive services from the Office of Intellectual and Developmental Disabilities when challenging or unsafe behaviors affect daily life or create a safety risk. Some examples include hitting, spitting, throwing things, or running away. A BSP helps people understand why behaviors take place and teaches new, safer behaviors.

What does a Behavior Support Plan (BSP) include?

A functional assessment of the person, including:

- A clear description of the behaviors to be addressed.
- Information about when, where, and why the behaviors happen.
- An explanation of what the person may be trying to communicate or achieve through the behavior.
- Observations of the behavior.
- A summary of the behavior, when it happens, and what may be causing or reinforcing it.

The BSP also includes:

- Information about the person's health, skills, strengths, and support needs.
- Definition of each behavior the plan addresses.
- Strategies to reduce challenging behaviors and teach safer, more appropriate behaviors.
- Goals and the type of data needed to measure progress toward those goals.
- A plan to review progress. Data should be reviewed at least once a month.
- Signature of the person who prepared the BSP.

Who takes part in the BSP process?

A professional staff person who meets OIDD standards for knowledge of behavior supports, with input and participation from:

- The person receiving services (the consumer) or parent/guardian.
- Family members closely involved with the consumer.
- Staff of the facility where the consumer lives.
- Staff of the workshop or place of employment.
- The Human Rights Committee, if required.

When is a Human Rights Committee (HRC) required to review a BSP?

The Human Rights Committee (HRC) must review any BSP that includes certain types of restrictions or interventions, such as:

- Physical restraints (mechanical or manual) that are planned in advance to protect the consumer or staff from harm. The HRC makes sure they are only used when necessary and are the least restrictive option.
- Protective equipment (also called a Mechanical restraint) is used to prevent injury, such as a soft helmet for head banging.
- Restrictions on a person's rights or activities, such as limiting access to their home or personal items, such as television or CD players, or increased staffing levels.
- Medications used to address behavior or mental health symptoms (sometimes called psychotropic medications). These medications must be approved by a doctor and the facility/executive director before they are used.
- Aversive consequences (procedures with startling, unpleasant, or painful results). A physician and the OIDD Office Director or designee must approve the use of aversive consequences before they can be used.

Are there some procedures that cannot be used as part of a BSP?

Yes. OIDD does not allow the following:

- Using restraints, medications, or other restrictions to punish someone, make things easier for staff, or instead of providing appropriate supports.
- Seclusion (placement of the person alone in a locked room).
- Enclosed cribs.
- Taking away regular meals or limiting food in a way that does not meet the person's nutritional needs.

- Having people with disabilities using services discipline other people with disabilities using services.
- Using a face-down (prone) restraint.
- Using timeout rooms or aversive consequences (except through the Human Rights Committee and the OIDD Office Director or designee's approval of any use of aversive consequences).

How often is a BSP reviewed?

A professional staff person, who meets OIDD standards for knowledge of behavior supports, must review the plan at least monthly. The HRC must review any plan, including restrictive procedures, at least annually.

What if the consumer and other members of the planning process cannot agree?

OIDD has two policies (directives) to resolve complaints:

- Concerns of People Receiving Services: Reporting and Resolution: https://bhdd.sc.gov/sites/bhdd/files/OIDD/PublicDocuments/CurrentDirectives/535-08-DD - Concerns of People Who Receive Services - REVISED - SIGNED (110624).pdf
- Appeal and Reconsideration of Decisions: https://bhdd.sc.gov/sites/bhdd/files/OIDD/PublicDocuments/CurrentDirectives/535-11-DD - Appeal and Reconsideration of Decisions - REVISED - SIGNED (022025).pdf

The concern/complaint process is an informal way to resolve problems with services, supports, or programs operated or funded by OIDD, an OIDD Board, or a contract provider.

If a person is not satisfied after using the concern or complaint process, they may file a grievance. A grievance may be filed about:

- A Single Plan or a BSP. Note: A Single Plan covers overall life goals, medical needs and routine services; a BSP focuses on challenging or unsafe behaviors.
- Your services, supports, or where you receive services.
- Restriction of personal freedoms and rights.
- Access to your records.
- Decisions about whether you can give informed consent.
- Eligibility for OIDD services.
- Decisions to refuse treatment or services.

- Level of care. Any other matter affecting the consumer's relationship to OIDD, an OIDD Board or a contract provider.

In most cases, OIDD should not carry out the decisions you are appealing until the grievance or appeal has been decided. The only exemption is if delaying the decisions could create a safety risk. For example, a person who started a fire could lose his or her lighter while the appeal is being reviewed.

If the disagreement is about a rights issue, such as the use of a type of restraint, the matter would be reviewed by the Human Rights Committee. If the consumer receives Medicaid, and Medicaid services are being denied, they may be able to file an appeal with the South Carolina Department of Health and Human Services.

Disability Rights South Carolina is the Protection and Advocacy System for South Carolina. This publication provides legal information but is not intended to be legal advice. As the law may change, please contact Disability Rights South Carolina for updates. Please let us know if you would like this information in an alternative format.

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The Protection and Advocacy System for South Carolina
www.disabilityrightssc.org | info@disabilityrightssc.org | 1-866-275-7273