

HOUSE No. 2244

By Mr. Scibak of South Hadley, petition of John W. Scibak and others relative to behavior analysts. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

John W. Scibak	Carl M. Sciortino, Jr.
Brian A. Joyce	Harold P. Naughton, Jr.
Barbara A. L'Italien	Mary E. Grant
William N. Brownsberger	Alice Hanlon Peisch
Tom Sannicandro	Anthony J. Verga
Viriato Manuel deMacedo	Thomas P. Conroy
Frank I. Smizik	

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO BEHAVIOR ANALYSTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 118 of chapter 112 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the word “meanings” in line 3, the following
4 words:—
5 “Associate behavior analyst”, an individual who by training and
6 experience meets the requirements of the national Behavior Analyst
7 Certification Board© and has passed the examination and received
8 certification as a Board Certified Associate Behavior Analyst ©.
9 “Behavior analysis”, the design, implementation, and evaluation
10 of instructional and environmental modifications to produce socially
11 significant improvements in human behavior through skill acquisi-
12 tion and the reduction of problematic behavior. A behavior analysis
13 program shall be based on empirical research, include the direct
14 observation and measurement of behavior as well as a functional
15 behavioral assessment; and utilize antecedent stimuli, positive rein-
16 forcement and other consequences to produce behavior change.

17 “Behavior analyst”, an individual who by training and experience
18 meets the requirements of the national Behavior Analyst Certifica-
19 tion Board © and has passed the examination and received certifica-
20 tion as a Board Certified Behavior Analyst ©.

1 SECTION 2. Section 79 of chapter 13 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 inserting after the word “psychology”, in line 10, the following
4 words:— “or behavior analysis”.

1 SECTION 3. Chapter 112 of the General Laws, as appearing in
2 the 2004 Official Edition, is hereby amended by inserting after
3 section 119 the following section:—

4 Section 119A. Each person desiring to obtain a license as an asso-
5 ciate behavior analyst shall make application to the board upon such
6 form and in such manner as the board shall prescribe and shall fur-
7 nish evidence satisfactory to the board that such person:

8 (a) is of good moral character;

9 (b) has passed the examination and received certification as a
10 Board Certified Associate Behavior Analyst©;

11 (c) has maintained active status and has fulfilled all requirements
12 for renewal and recertification as a Board Certified Associate
13 Behavior Analyst©; and

14 (d) conducts his professional activities under the supervision of a
15 behavior analyst and in accordance with accepted standards such as
16 the Ethical Standards of Psychologists of the American Psycholog-
17 ical Association and the Guidelines for Responsible Conduct of the
18 Behavior Analyst Certification Board©.

19 Each person desiring to obtain a license as a behavior analyst
20 shall make application to the board upon such form and in such
21 manner as the board shall prescribe and shall furnish evidence satis-
22 factory to the board that such person:

23 (a) is of good moral character;

24 (b) has passed the examination and received certification as a
25 Board Certified Behavior Analyst©;

26 (c) has maintained active status and has fulfilled all requirements
27 for renewal and recertification as a Board Certified Associate
28 Behavior Analyst.©; and

29 (d) conducts his professional activities in accordance with
30 accepted standards such as the Ethical Standards of Psychologists of
31 the American Psychological Association and the Guidelines for
32 Responsible Conduct of the Behavior Analyst Certification Board®.

1 SECTION 4. No person shall hold himself out to be an associate
2 behavior analyst or a behavior analyst unless he has met the applic-
3 able requirements set forth in section one hundred and eighteen.

4 Violation of this section shall be punishable by a fine of not more
5 than five hundred dollars, or by imprisonment for not more than
6 three months, or by the suspension or loss of a license as a psycholo-
7 gist, or any combination thereof.

1 SECTION 5. Section 128 of chapter 112 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by
3 striking out the first paragraph and inserting in place thereof the
4 following paragraph:—

5 The board shall investigate all complaints relating to the proper
6 practice of behavior analysis by any person licensed or certified as a
7 behavior analyst or associate behavior analyst under sections one
8 hundred and eighteen to one hundred and twenty-nine A, inclusive.