

SENATE NO. 1124

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

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

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

20 Section 119A. Each person desiring to obtain a license as an associate behavior analyst shall make
21 application to the board upon such form and in such manner as the board shall prescribe and shall
22 furnish evidence satisfactory to the board that such person:

23 (a) is of good moral character;

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

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

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

31 Each person desiring to obtain a license as a behavior analyst shall make application to the board upon
32 such form and in such manner as the board shall prescribe and shall furnish evidence satisfactory to
33 the board that such person:

34 (a) is of good moral character;

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

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

38 (d) conducts his professional activities in accordance with accepted standards such as the Ethical
39 Standards of Psychologists of the American Psychological Association and the Guidelines for
40 Responsible Conduct of the Behavior Analyst Certification Board©.

41 SECTION 4. No person shall hold himself out to be an associate behavior analyst or a behavior
42 analyst unless he has met the applicable requirements set forth in section one hundred and eighteen.

43 Violation of this section shall be punishable by a fine of not more than five hundred dollars, or by
44 imprisonment for not more than three months, or by the suspension or loss of a license as a
45 psychologist, or any combination thereof.

46 SECTION 5. Section 128 of chapter 112 of the General Laws, as appearing in the 2004 Official
47 Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the
48 following paragraph:-

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