

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 11-228—SB 799**

*Public Health Committee*

*Judiciary Committee*

**AN ACT CONCERNING MISREPRESENTATION AS A BOARD  
CERTIFIED BEHAVIOR ANALYST**

**SUMMARY:** This act makes it a crime to represent oneself as a “board certified behavior analyst” (BCBA) or a “board certified assistant behavior analyst” (BCABA) unless certified by the Behavior Analyst Certification Board.

Under the act, an individual must be board certified as a BCBA or BCABA in order to use, in connection with his or her name, (1) the words “board certified behavior analyst,” “certified behavior analyst,” “board certified assistant behavior analyst,” or “certified assistant behavior analyst”; (2) the letters “BCBA” or “BCABA”; or (3) any words, letters, abbreviations, or insignia indicating or implying board certification or in any way, orally, in writing, in print or design, directly or by implication, represent himself or herself as board certified.

A person violating these provisions is guilty of an unclassified felony punishable by a fine of up to a \$500, imprisonment for up to five years, or both. Each illegal contact or consultation constitutes a separate offense.

The Behavior Analyst Certification Board is a nonprofit corporation (1) established to meet the professional credentialing needs of behavior analysts, governments, and consumers of behavior analysis services and (2) accredited by the National Council for Certifying Agencies, or any successor national accreditation organization.

EFFECTIVE DATE: October 1, 2011

**BACKGROUND**

*Board Certified Behavior Analysts and Autism Services*

Starting July 1, 2012, the law requires school districts to use only behavior analysts licensed or certified in accordance with its requirements to provide applied behavior analysis for students with autism spectrum disorders who require the services (1) according to a special education individualized education program or (2) under an educational plan established under section 504 of the federal Rehabilitation Act of 1973 (CGS § 10-76ii).

Under the law, to provide these services on and after July 1, 2012, a person must either be (1) licensed by the Department of Public Health or certified by the State Department of Education and the services must be within the scope of the license or certificate or (2) certified by the Behavior Analyst Certification Board as a behavior analyst or assistant behavior analyst. Assistant behavior analysts must work under a behavior analyst’s supervision.

If the education commissioner determines that there are not enough certified

## OLR PUBLIC ACT SUMMARY

or licensed behavior analysts to provide the required services, the law allows the commissioner to authorize people with the following qualifications to provide them, under the supervision of a board-certified behavior analyst:

1. a bachelor's degree in a related field and
2. at least (a) nine credit hours of course work in a course sequence approved by the Behavior Analyst Certification Board or (b) course work meeting the requirements to sit for the behavior analyst certification exam.

OLR Tracking: JK:KM:VR:ts