



General Assembly

***Amendment***

***February Session, 2016***

**LCO No. 3916**



Offered by:

SEN. GERRATANA, 6<sup>th</sup> Dist.

REP. RITTER M., 1<sup>st</sup> Dist.

To: Subst. Senate Bill No. **292**

File No. 318

Cal. No. 247

***"AN ACT CONCERNING BEHAVIOR ANALYSTS."***

1 Strike lines 53 to 70, inclusive, in their entirety and insert the  
2 following in lieu thereof:

3 "(c) The provisions of this section shall not apply to a person who (1)  
4 provides behavior analysis or assists in the practice of behavior  
5 analysis while acting within the scope of practice of the person's (A)  
6 license issued by the Department of Public Health, and (B) training,  
7 provided the person does not hold himself or herself out to the public  
8 as a behavior analyst, (2) provides behavior analysis or assists in the  
9 practice of behavior analysis while acting within the scope of practice  
10 of the person's (A) certification issued by the State Board of Education,  
11 and (B) training, provided the person does not hold himself or herself  
12 out to the public as a behavior analyst, (3) is a student enrolled in a  
13 behavior analysis educational program accredited by the Behavior  
14 Analyst Certification Board, or a graduate education program in which  
15 behavior analysis is an integral part of the student's course of study

16 and such student is performing such behavior analysis or assisting in  
17 behavior analysis under the direct supervision of a behavior analyst,  
18 (4) is an instructor in a course approved by the Behavior Analyst  
19 Certification Board, (5) is an assistant behavior analyst working under  
20 the supervision of a behavior analyst and in accordance with the  
21 standards established by the Behavior Analyst Certification Board, (6)  
22 implements an intervention based on behavior analysis under the  
23 supervision of a behavior analyst or a person who provides behavior  
24 analysis or assists in the practice of behavior analysis under  
25 subdivision (1) or (2) of this subsection, or (7) is a family member,  
26 guardian or caretaker implementing a behavior analysis treatment  
27 plan under the direction of a behavior analyst or a person who  
28 provides behavior analysis or assists in the practice of behavior  
29 analysis under subdivision (1) or (2) of this subsection."

30 After the last section, add the following and renumber sections and  
31 internal references accordingly:

32 "Sec. 501. Section 10-76ii of the general statutes is repealed and the  
33 following is substituted in lieu thereof (*Effective January 1, 2017*):

34 [(a)] On and after July 1, 2012, a local or regional board of education  
35 that is responsible for providing special education and related services  
36 to a child, pursuant to section 10-76a, shall provide applied behavior  
37 analysis services to any such child with autism spectrum disorder if  
38 the individualized education program or plan pursuant to Section 504  
39 of the Rehabilitation Act of 1973 requires such services. [(1) Such  
40 services shall be provided by a person who is, subject to the provisions  
41 of subsection (b) of this section, (A) licensed by the Department of  
42 Public Health or certified by the Department of Education and such  
43 services are within the scope of practice of such license or certificate, or  
44 (B) certified by the Behavior Analyst Certification Board as a behavior  
45 analyst or assistant behavior analyst, provided such assistant behavior  
46 analyst is working under the supervision of a certified behavior  
47 analyst. (2) A teacher or paraprofessional may implement the  
48 individualized education program or plan pursuant to Section 504 of

49 the Rehabilitation Act of 1973 providing for such applied behavior  
 50 analysis services, provided such teacher or paraprofessional is under  
 51 the supervision of a person described in subdivision (1) of this  
 52 subsection. For purposes of this section, "applied behavior analysis"  
 53 means the design, implementation and evaluation of environmental  
 54 modifications, using behavioral stimuli and consequences, including  
 55 the use of direct observation, measurement and functional analysis of  
 56 the relationship between the environment and behavior, to produce  
 57 socially significant improvement in human behavior.

58 (b) If the Commissioner of Education determines that there are  
 59 insufficient certified or licensed personnel available to provide applied  
 60 behavior analysis services in accordance with the provisions of  
 61 subsection (a) of this section, the commissioner may authorize the  
 62 provision of such services by persons who: (1) Hold a bachelor's  
 63 degree in a related field; (2) have completed (A) a minimum of nine  
 64 credit hours of coursework from a course sequence approved by the  
 65 Behavior Analyst Certification Board, or (B) coursework that meets the  
 66 eligibility requirement to sit for the board certified behavior analyst  
 67 examination; and (3) are supervised by a board certified behavior  
 68 analyst.

69 (c)] Nothing in this section shall be construed to require the  
 70 inclusion of applied behavior analysis services in an individualized  
 71 education program or plan pursuant to Section 504 of the  
 72 Rehabilitation Act of 1973."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	January 1, 2017	10-76ii