



THE BERKSHIRE ASSOCIATION FOR BEHAVIOR ANALYSIS AND THERAPY

An affiliate chapter of APBA and ABAI



October 24, 2010

Kevin Patrick Beagan
Deputy Commissioner
Health Care Access Bureau and Director
State Rating Bureau
Commonwealth of Massachusetts Division of Insurance
One South Station
Boston, MA 02110

Dear Deputy Commissioner Beagan:

I am writing on behalf of the Berkshire Association for Behavior Analysis and Therapy (BABAT) in response to the Special Sessions relative to the implementation of Chapter 207 (ARICA) of the Acts of 2010. BABAT, which was founded over 30 years ago, is the most established and largest association for behavior analysts in Massachusetts with over 635 current members. ARICA represents a strong endorsement of the rights of the citizens in the Commonwealth with ASDs to access insurance reimbursement for the unique medical needs that accompany ASDs. During the Special Sessions and in related commentary, there have been a few matters raised that we would like to comment on. Specifically, we are concerned about the rights of Board Certified Behavior Analysts (BCBAs) to practice and the standards of the practice of applied behavior analysis (ABA).

First and foremost, we believe that Chapter 207 is, among many things, an explicit endorsement of the rights of persons with ASDs to access ABA. The law has been clearly written on this point and great care was taken by the MA legislature to precisely identify and define this evidence-based treatment for ASDs and who should provide it, BCBAs. The law also clearly states that habilitative/rehabilitative treatment is not limited to ABA provided by BCBAs. It has been suggested that Psychologists should be considered eligible to provide ABA services. We agree that Psychologists with the BCBA credential are qualified to provide ABA services. However, we do not agree that persons without the BCBA credential are qualified to provide ABA services. They may be well qualified to provide evidence-based habilitative/rehabilitative treatment but the BCBA credential has been well established as the minimal competency for providing ABA services.

Though ABA treatment for ASDs was developed by a number of persons (e.g., Ivar Lovaas) who were trained as Psychologists, most Psychologists do not have training in ABA. Additionally, ABA as a discipline is not limited to the field of Psychology. A qualified ABA practitioner is just as likely to be either a Speech/Language Pathologist or Certified Teacher as they are to have a degree in Psychology. The BCBA credential ensures that all ABA practitioners meet the same minimal qualifications expected of an ABA provider.

It was noted that the most well known developer of ABA treatment, Ivar Lovaas, was trained as a psychologist and therefore, by association, Psychologists, with behavioral training, were equally qualified to provide ABA. Though there may be some Psychologists who would

possibly meet the standards of the BCBA credential, in not pursuing the BCBA credential, these persons are not meeting the current standards of practice of ABA as outlined by the BCBA credential. These Psychologists are still eligible to provide treatment if they provide evidence-based habilitative/rehabilitative care but we believe this should not be considered as ABA treatment. To use the Lovaas Institute as a model for training qualified ABA providers, I asked the Executive Director of the Lovaas Institute for Early Intervention, Dr. Eric Larsson, to comment on the Lovaas Institute's position with regard to this matter. His letter is attached to this correspondence. It is clear that the Lovaas Institute endorses the BCBA credential as a necessary minimal competency for the provision of ABA services.

In summary, BABAT feels that Chapter 207 is a clearly written law that expressly endorses ABA services for persons with ASDs and clearly identifies the expected competencies of these service providers. Additionally, this law also ensures that persons with ASDs also have access to other evidence-based treatments. We recommend that the law be enacted as written on this matter. Please feel free to contact me at 508-481-1015 x 3132 should you have any questions.

Sincerely,

William H. Ahearn

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