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## THE BERKSHIRE ASSOCIATION FOR BEHAVIOR ANALYSIS AND THERAPY

An affiliate chapter of APBA and ABAI

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September 19, 2011

Joint Committee on Consumer Protection and Professional Licensure  
State House – Room 23  
Boston, MA 02133

Dear Committee Member:

I am writing on behalf of the Berkshire Association for Behavior Analysis and Therapy (BABAT) in response to the bills regarding the licensure of behavior analysts that are before the committee (H01901 submitted by Rep. Scibak; H01002 submitted by Rep. Balsler; SB108 submitted by Sen. Joyce). BABAT is the most established and largest association for behavior analysts in Massachusetts with over 789 current members. Given the passage of last sessions' Act Relative to Insurance Coverage for Autism (ARICA; Chapter 207), we believe the citizens of the Commonwealth, especially the families of persons with autism, would greatly benefit from establishing a licensure process for behavior analysts in Massachusetts.

First and foremost, we believe that Chapter 207 is, among many things, an explicit endorsement of the rights of persons with ASDs to access applied behavior analysis or ABA. The law has been clearly written on this point and great care was taken to precisely identify and define this evidence-based treatment for ASDs and who should provide it, Board Certified Behavior Analysts or BCBAs.

The Behavior Analyst Certification Board, or BACB, is an independent, nonprofit organization that certifies practitioners of ABA (i.e., doctoral-level BCBAs or BCBA-Ds; BCBAs at a Masters level; BCaBas at a Bachelors level) in the US and internationally. The BACB is accredited by the National Commission on Certifying Agencies (NCCA), the accrediting arm of the National Organization for Competency Assurance. The BACB has approved course sequences for certification eligibility at over 120 universities in the United States and 31 universities in 15 other countries, including **14 in Massachusetts**. It has also established supervised experience requirements, ethical guidelines, disciplinary standards, and continuing education requirements in accordance with NCAA accreditation standards. To date, the BACB has credentialed 9,661 Board Certified Behavior Analysts and Board Certified Assistant Behavior Analysts worldwide, including **799 in Massachusetts (72 BCBA-D; 688 BCBA; 39 BCaBa)**.

Behavior Analysis has a long and rich tradition. Initially established by B.F. Skinner while at Harvard University, behavior analysis is a unique approach to human behavior and has included many professionals from a variety of disciplines. Included among the professionals I've met who are behavior analysts are special educators, speech pathologists, occupational therapists, regular educators, psychologists, zoologists, gymnasts, and a politician. Applications of behavior analysis, or ABA, have included treatment of severe challenging behavior, building

new skills with those facing learning challenges, drug use rehabilitation, smoking cessation, weight loss, staff training, organizational management, workplace safety, pedestrian safety, domestic abuse prevention, decreasing risky behavior in juveniles, increasing recycling, treating feeding problems in young children, but ABA is most recognized as treatment for autism.

Some have suggested that behavior analysis is a sub field of Psychology. While behavior analysis was founded by a Psychologist, behavior analysis has stood as an independent discipline since at least 1968 when behavior analysts founded an independent scientific journal and subsequently founded a national (now international) society for behavior analysts in 1974. The primary reasoning for founding independent journals and societies was that behavior analysis was not an accepted approach in Psychology and that a variety of disciplines were practicing behavior analysis. That **behavior analysis is an independent discipline** and practice is supported by the Council of Specialties in Professional Psychology (an effort jointly sponsored by the American Psychological Association and the American Board of Professional Psychology; <http://cospp.org/specialties/behavioral-and-cognitive-psychology>) which states that:

(P)sychologists and other professionals can seek board certification in applied behavior analysis through the Behavior Analyst Certification Board® (BACB®); the BACB certifies behavior analysts. The BACB certification is not psychological certification; instead, the BACB's certification reflects the practice of applied behavior analysis in a variety of professional fields.

The BACB credentials are recognized in the U.S. Department of Defense Reauthorization of 2007, which mandated coverage of ABA intervention for autism spectrum disorders by the military's health plan (TRICARE). They are also recognized in laws and regulations in many states, as well as the policies of many public and private health insurance plans. There are currently 27 states that have enacted autism insurance reform and there are 11 additional states in which an Autism Speaks-endorsed bill is being considered (NY and California have passed and sent those bills to their Governors). For an autism insurance reform bill to meet Autism Speaks requirements for endorsement, the bill must provide for reimbursement for Applied Behavior Analysis. **ARICA in MA was endorsed by Autism Speaks and specifically identifies BCBAs as the providers of ABA.** Therefore, we feel strongly that Rep. Scibak's bill is precisely crafted to assure that licensure of behavior analysts aligns with the intent of ARICA, aligns with the standards of practice of behavior analysis, and would be the ideal manner of establishing licensure of behavior analysts in Massachusetts.

ARICA 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, it is difficult to determine the qualifications of Licensed Psychologists to practice behavior analysis. They are undoubtedly qualified to provide evidence-based Psychological treatment but Psychologists are unlikely to have had any coursework or supervised training in behavior analysis. As to coursework, in a survey of last year's academic offerings in Psychology graduate programs at Harvard, MIT, BC, BU, and Tufts did not include a single class in behavior analysis.

As noted above, 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. **Over 50% of BCBA's do not have a degree in Psychology.** The BCBA credential ensures that all ABA practitioners meet the same minimal qualifications in terms of coursework in behavior analysis and supervised experience applying behavior analysis.

It should be noted that the most well known developer of ABA treatment was Ivar Lovaas, who obtained the BCBA credential. 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 - Midwest, 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 Rep. Scibak's bill relative to the licensure of behavior analysts be reported favorably out of committee and enacted as law as it reflects the state of practice of behavior analysis and is in the best interest of the citizens of the Commonwealth.** 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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