

# BACB Newsletter



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## Appropriate RBT Activities

In the current era of funders of ABA services frequently developing new practice and billing requirements, the BACB is concerned that some RBTs might be enticed to practice outside of their scope of competence and BACB certification. The purpose of this article is to help identify appropriate and inappropriate RBT activities for the benefit of RBTs and their Responsible Certificants. In essence, if an RBT is practicing activities identified as appropriate, they may utilize their RBT credential; however, if an RBT is practicing activities identified as inappropriate, *they may not do so under their RBT credential and must use a disclaimer to identify that the services they provide are outside the scope of their BACB certification.*

Examples of **appropriate activities** include:

- Implementing behavior-change programs under a [qualified supervisor](#);
- Data collection and summarizing at the direction of a qualified supervisor; and
- Any other activity identified in the [RBT Task List](#) and performed under the supervision of a qualified supervisor.

Examples of **inappropriate activities** that would either be (i) prohibited by the [Professional and Ethical Compliance Code for Behavior Analysts](#) (Compliance Code), or (ii) outside the scope of practice of the RBT, thereby requiring the 8.01(b) disclaimer, include:

- Serving as an independent company owner or manager;  
*Note: the RBT is not an independent practitioner.*
- Serving as a trainer/supervisor of other individuals;  
*Note: the RBT Task List does not include these tasks.*
- Conducting the 40-hour RBT training or competency assessment required by the BACB;  
*Note: the RBT is not a qualified instructor or assessor of these activities and the RBT Task List does not include these tasks.*
- Designing a functional behavior assessment;  
*Note: the RBT Task List does not include this task.*
- Designing a behavior-change program;  
*Note: the RBT Task List does not include this task.*

- Providing services to the client outside of the ABA program (e.g., transportation, child care);

*Note:* these are not behavior-analytic services and, thus, are not included on the RBT Task List. Furthermore, these services would comprise a multiple relationship as prohibited in 1.06 of the Compliance Code. See also, the Compliance Code's glossary definition of multiple relationships (i.e., being in a behavior-analytic relationship and non-behavior-analytic relationship with the client at the same time).

If you have questions about whether a particular activity is appropriate for an RBT, we encourage you to consult the RBT Task List as the initial resource. If the activity is not identified there, then you will need to consult with your Responsible Certificant to confirm whether the activity is prohibited by the BACB or requires use of the 8.01(b) disclaimer identified in the Compliance Code.

Finally, although slightly off topic, it is important to note that employers and funders sometimes permit supervision of RBTs by individuals who are not listed among the [qualified supervisor](#) types by the BACB. Such permission does not displace the BACB's standards and, for the proper maintenance of the RBT credential, the BACB's supervision standards must be met.

## The 2017 Michael Hemingway Behavior Analysis Award

This annual award is given in honor of the late Michael Hemingway, who played a central role in the development of behavior analyst certification in Florida before serving as a founding director of the BACB. Michael's commitments to the profession of behavior analysis and to increasing access to services are reflected in the behavior of the individual who receives this award.

We are pleased to announce that the 2017 recipient of the Michael Hemingway Behavior Analysis Award is Dr. Gina Green, the Chief Executive Officer of the Association of Professional Behavior Analysts (APBA). Dr. Green's outstanding record of service to behavior analysis includes numerous leadership and service roles at the Association for Behavior Analysis International and the California Association for



Behavior Analysis. Indeed, she has already received numerous awards and honors for her contributions to the discipline. Dr. Green's receipt of the Hemingway Award was largely based on her role as the foremost authority on

public policy matters in ABA. Her public policy history includes (a) her service as a BACB Director from 2002 through 2008 where she worked directly with the late Michael Hemingway and (b) her current leadership role at APBA through which she has consulted on dozens of initiatives to fund ABA services and regulate behavior-analytic practitioners through licensure. Her vision and expertise related to the goal of sound public policy in ABA have benefited countless behavior analysts and the clients they serve. Thank you, Gina!

## Reporting Important Information to the BACB: Health- and Safety-Related Incidents -- Part 2

The [November 2016](#) issue of *BACB Newsletter* provided detailed guidance for the self-reporting requirements arising out of 10.02(b) of the [Compliance Code](#). This article provides additional guidance on the remaining Section 10.02 elements, specifically 10.02 (a), (c), and (d).

Section 10.02 of the Compliance Code reads as follows:

10.02 Behavior analysts must comply with all BACB deadlines including, but not limited to, ensuring that the BACB is notified within thirty (30) days of the date of any of the following grounds for sanctioning status:

- (a) A violation of this Code, or disciplinary investigation, action or sanction, filing of charges, conviction or plea of guilty or nolo contendere by a governmental agency, health care organization, third-party payer, or educational institution.

Procedural note: Behavior analysts convicted of a felony directly related to behavior analysis practice and/or public health and safety shall be ineligible to apply for BACB registration, certification, or recertification for a period of three (3) years from the exhaustion of appeals, completion of parole or probation, or final release from confinement (if any), whichever is later; (See also, 1.04d Integrity)

- (b) [omitted – see the [November 2016](#) issue of *BACB Newsletter*]
- (c) A physical or mental condition that would impair the behavior analyst's ability to competently practice; and
- (d) A change of name, address, or email contact.

Under section **10.02(a)** of the Compliance Code, the BACB is interested in the reporting of any investigations, charges, convictions, sanctions, or the like. This includes, but is not limited to, actions initiated or conducted by healthcare organizations, professional associations, or regulatory bodies. Section **10.02(c)** refers to a situation in which a behavior analyst experiences a mental or physical condition that could impact their ability to competently practice. A diagnosis, treatment, hospitalization, etc. that falls into this category must be reported.

The following are types of incidents that **must be reported** to the BACB in a timely manner under 10.02 (a) and (c):

- The diagnosis, treatment, incident, or findings may indicate a physical or mental condition that could put the client at risk for harm or impact the competent delivery of services;
- The investigation, charge, allegation, or sanction indicates potential malfeasance by the behavior analyst that could put the client at risk for harm or impact the competent delivery of services;
- A client was present during the incident (regardless of the outcome of the investigation or charges);
- The behavior analyst is required to report the incident to a professional liability insurance provider;
- The behavior analyst is required to report the incident to a client's third-party payor;
- The behavior analyst is required to report the incident to a governmental regulatory board.

The following are examples of **typical matters reported** to the BACB under sections 10.02 (a) and (c):

- **Criminal legal actions:** including filing of criminal charges, arrest, plea of guilty or no contest, pre-sentencing agreements, diversion agreements, convictions, and any period of custody in a jail, prison, community corrections setting, "halfway house," etc.;
- **Civil legal actions:** including filing of lawsuits, any legal actions in which the behavior analyst is named or identified (even if not a direct party to the suit);
- **Regulatory actions:** including investigations, consent agreements, administrative law proceedings, mediation, arbitration, etc.;
- **Healthcare agency and employer actions:** including investigations and sanctions for incompetent or neglectful service delivery;
- **Diagnosis, treatment or hospitalization:** for any mental or physical condition that could impair competent delivery of services.

The following are examples of scenarios that **do not need to be reported** to the BACB:

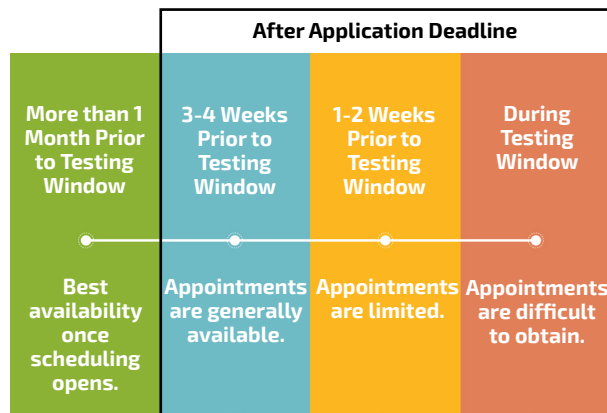
- Credit or tax hearings;
- Parking tickets (identified in 10.02[b] of the Compliance Code);
- Family court proceedings (i.e., divorces, custody hearings);
- Employer layoffs and actions that do not evidence competency or safety concerns (e.g., staff reductions);
- Diagnosis and treatment of conditions not likely to impair competent delivery of services.

We conclude with a quick note about **10.02(d)**. Certificants must report to the BACB all changes to email, other contact information, or BCaBA and RBT supervisor status. These changes can be made through the BACB Gateway or by [contacting us](#) directly.

We hope you find this guidance useful. If you are ever unsure of whether an incident must be reported to the BACB, please [contact us](#) for additional assistance.

# BCBA/BCaBA Examination Applications: Deadline Change and Late Fee Elimination

In the past, the BACB has permitted applicants for the BCBA and BCaBA examinations to submit application materials up to one day before a testing window. Over time, we have collected and evaluated data on the receipt of application materials before and during testing windows, along with information about the availability of examination appointments. It has become clear that the growth of the profession is mirrored by growth in the volume of applications for the BACB credentials. Furthermore, we have observed that many applicants submit materials within a week of their desired testing window. With such high rates, it is no longer possible to process them with sufficient time for an applicant to obtain an examination appointment. The time restriction also risks disadvantaging candidates who wish to request accommodations.



Based on this information and an evaluation of the application processing requirements for other, more mature, professions, we have reached the stage in our growth that application deadlines must be enforced. In order to ensure adequate processing time, a 30-day application deadline will be implemented, beginning with the August 2017 examination window. The first of these deadlines is **July 1, 2017**.

Complete applications (i.e., all required information fields, all supporting documents that verify eligibility requirements are met, fee payment) received by the application deadline (e.g., July 1, 2017 for the August

testing window) will be processed in advance of the relevant testing window (see the application submission timelines below). Applications submitted after the deadline will not incur any late fees and will be processed in the order in which they are received. However, applicants are cautioned that, due to the rapidly increasing volume of submissions, applications received after the deadline are not likely to be processed with sufficient time to register for an examination in the next available testing window.

**Retake applications.** Retake application deadlines have been modified in order to improve the likelihood that candidates who do not pass an examination can register for the following testing window. Retake applications must be completed by the 15th of the month prior to the testing window. The first of these deadlines is **July 15, 2017**. Retake applications submitted after the deadline may not be processed with sufficient time for the candidate to register for the next available examination.

Year	Testing Window	Application Deadline	Retake Deadline
2017	August	July 1	July 15
	November	October 1	October 15
2018	February	January 1	January 15
	May	April 1	April 15
	August	July 1	July 15
	November	October 1	October 15

Dates above reflect application deadlines effective beginning with the August 2017 testing window.

## Elimination of Interim Documentation for Applications

BCBA and BCaBA applicants must provide documentation that they meet their respective degree requirement, including [original-source verification](#) that the degree was awarded (e.g., the degree is listed as conferred on an official university transcript). Currently, if an applicant's university documentation does not show a conferral date, but they have graduated, the BACB will accept interim documentation from the university registrar as temporary verification so that they can proceed with their application. In this situation, the applicant's examination results are held

until the BACB receives original-source verification that reflects the degree's conferral date.

**Effective April 1, 2018**, interim documentation will no longer be accepted as temporary evidence that a degree was conferred. All BCBA and BCaBA applications will need to include original-source verification (e.g., official transcripts) clearly reflecting that the degree was conferred and the conferral date in order to be approved and allow the applicant to register for an examination.

## BACB Events at the ABAI 2017 Convention

The BACB will be actively involved in this year's annual convention of the Association for Behavior Analysis International in Denver, Colorado. Below is a list of our events that may be of interest to BACB certificants. Please stop by the exhibit booth (#415) to say hello during the convention.

Date	Time and Location	Event	Presenters
Saturday, May 27	7:00-7:50am CC: Mile High Ballroom 1A/B	Business Meeting: BACB Approved Continuing Education Providers	Emily White
	10:00-10:50am CC: Mile High Ballroom 2C	An Update on the Behavior Analyst Certification Board	James Carr, Iser DeLeon, & Neil Martin
Sunday, May 28	7:00-7:50am CC: Mile High Ballroom 2C	Business Meeting: BACB Approved Course Sequences	Emily White
	10:00-10:50am CC: Mile High Ballroom 1E/F	Panel: From Reinforcers to Religion: Navigating Ethical and Professional Issues in Multicultural Service Delivery	Margaret Bloom
Monday, May 29	7:00-7:50pm CC: 301	An Introduction to BACB Certification	Emily White

## Annual Data Report: 2016

To comply with requirements of the National Commission for Certifying Agencies, the BACB must regularly provide certain data from each of its certification programs to the profession. Effective immediately, the BACB will publish this data summary in the first regular newsletter issue of each year. The annual data report for 2016 is below.

	BCBA	BCaBA	RBT
<b>Number of Candidates Tested</b>			
First-Time	3,251	341	9,420
Retakes	4,096	812	956
Total	7,347	1,153	10,376
<b>Percentage of Candidates Passing</b>			
First-Time	66%	65%	88%
Retakes	28%	37%	51%
<b>Number of Individuals Certified</b>	3,617	664	10,639*

\*Some RBTs who were certified in January 2016 qualified for the credential in December 2015 prior to the enactment of the written examination requirement. Thus, this number is higher than the number of candidates who tested in 2016.



# A Summary of Recent and Upcoming Changes to BACB Standards

In an effort to assist certificants in remaining up-to-date with BACB standards, the table below summarizes recent and upcoming changes announced in past issues of the *BACB Newsletter*.

Effective Date	Area	Change	Newsletter
Recertification cycles that begin on or after January 1, 2015	Continuing Education	Changes to recertification cycle duration, # of required CEUs, ethics CE, and new CE categories	<a href="#">February 2013</a>
January 1, 2016	BCBA Degree Requirement	Possession of a minimum of a master's degree from an accredited university that was (a) conferred in behavior analysis, education, or psychology, or (b) conferred in a degree program in which the candidate completed a BACB approved course sequence	<a href="#">February 2013</a>
January 1, 2016	Ethics and Discipline	The <a href="#">Professional and Ethical Compliance Code for Behavior Analysts</a> will be enforced. Revisions to the disciplinary system will take effect.	<a href="#">September 2014</a>
January 1, 2016	BCBA Eligibility Requirements	Changes to eligibility requirements for Options 2 and 3. *See also page 2 of the <a href="#">October 2015 issue of the BACB Newsletter</a>	<a href="#">November 2014</a>
February 1, 2016	BCBA-D Eligibility Requirements	Changes to eligibility requirements for the doctoral designation for BCBA's	<a href="#">January 2016</a>
January 1, 2017	Approved Course Sequence Coordinator Requirements	<ul style="list-style-type: none"> <li>• Be employed full-time as faculty by the university;</li> <li>• Hold BCBA/BCBA-D certification; AND</li> <li>• Hold a relevant degree                             <ul style="list-style-type: none"> <li>- BCBA course sequences: doctoral degree</li> <li>- Stand-alone BCaBA course sequences: master's degree or higher</li> </ul> </li> </ul> Additional information about how this change will be implemented can be found <a href="#">here</a>	<a href="#">May 2013</a>
January 1, 2017	BCaBA Supervision	Changes to the following policy requirements: Supervisor Responsibilities and Qualifications, Supervision Amount and Structure, Group Supervision, and Documentation of Supervision	<a href="#">December 2014</a>
January 1, 2022	BCBA/BCaBA Eligibility Requirements	Changes to the coursework requirements for the BCBA (Option 1) and BCaBA credentials	<a href="#">January 2017</a>
January 1, 2022	BCBA/BCaBA Examination Content	All BCBA/BCaBA examinations will be based on the <a href="#">BCBA/BCaBA Task List (5th ed.)</a>	<a href="#">January 2017</a>