



## Annual Renewal vs. Recertification: What's the Big Difference?

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## Welcome New Directors

We are pleased to announce that the following certificants have been elected to three-year terms on the BACB Board of Directors: Henry Roane, Syracuse, New York; Suzanne Letso, Milford, Connecticut; and Neil Martin, London, UK. Congratulations to all. Thank you very much to all of the certificants who participated in the nominations and elections process.

## The BACB Professional Disciplinary and Ethical Standards ...and Process

Yes, you read the title correctly. The BACB has added the word "Ethical" to the "Professional Disciplinary Standards." The change was advisable for two reasons.

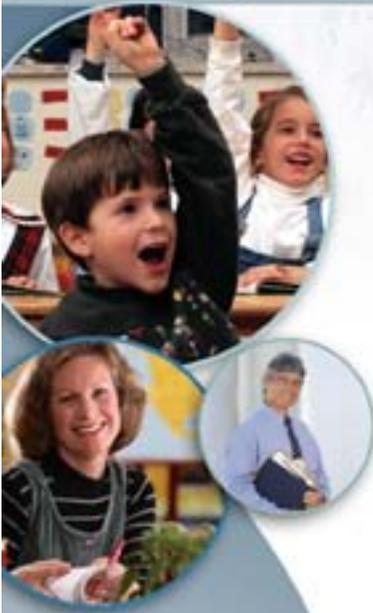
First, state licensure authorities are looking for "ethical" codes. The fact that the BACB's enforced standards did not have the word "ethical" in the title, seemed to cause some confusion between the enforced Disciplinary Standards and the recommended Guidelines for Professional Conduct. We hope insertion of the word "ethical" will help alleviate this confusion.

Second, for 2010, the Professional Disciplinary standards now include more "ethical" considerations. Professional malpractice, negligence and misconduct are now clearly identified in [Standard 6 of the Disciplinary & Ethical Standards](#). For example, this Standard now addresses:

Gross or repeated negligence, incompetence, misconduct, or malpractice in professional work, including, but not limited to: a. any physical or mental condition that currently impairs competent professional performance or poses a substantial risk to the client/consumer of behavior analysis services; b. Professional conduct that constitutes an extreme and unjustified deviation from the customary standard

of practice accepted in the applied behavior analytic community and that creates a serious risk of harm to or deception of consumers; c. Abandonment of a consumer resulting in the termination of imminently needed care of a consumer without adequate notice or provision for transition; d. Professional record keeping and/or data collection that constitutes an extreme and unjustified deviation from the customary standard of practice for the field, and/or deceptively altering consumer records or data; e. Engaging in blatant fraud, deception, misrepresentation, false promise or pretense or intimidation in the practice of applied behavior analysis or in solicitation of consumers; and f. The unauthorized material disclosure of confidential consumer information.

The BACB has also internally clarified the process that will be followed in Disciplinary and Ethical cases. For example, in some instances, the BACB President may appoint local representation or subject matter experts to the Review Committee. In cases



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## The BACB Professional Disciplinary and Ethical Standards ...and Process *cont'd*

of appeal, the BACB President may appoint selected Directors to hear the appeal.

For those of you have initiated or gone through the complaint process, you know this can be a long, drawn-out process. From start to finish, cases may take upwards of 6 months to a year to investigate, decide and complete the appeal process. At the initial stage, we work with a volunteer Review Committee that now meets on a fairly regular basis (about once every 4-8 weeks), due to the increasing number of cases and investigations.

The process is a very slow and deliberate process. Our legal counsel nurses each case through from start to finish. It often takes some time for certificants or complainants to respond to our requests for additional information or documentation.

A committee is convened to review cases that appear to evidence a violation of the Professional Disciplinary and Ethical Standards. Often the Review Committee will have a number of exchanges with the complainants or certificants to request additional information or documentation. Certificants are given several rounds of due process type "notices" before their certification is sanctioned. Once sanctioned, certificants then have a right to appeal before a Committee of at least 3 BACB Directors. For those of you who initiate an investigation or who are subject to one, we assure you, we do not act hastily... and we appreciate your cooperation. The Disciplinary and Ethical Process is one that works because certificants, the public, and the Committee members are dedicated to Professionalism in our field!

## Continuing Education: Some Clarifications

Christine L. Ratcliff, MS, BCBA  
Senior Behavior Analyst Administrator

Over the years, I've noticed that there are a number of common misconceptions about the BACB continuing education requirements. We have several types of CE available in order to give you more options and flexibility in obtaining CE that is meaningful to you. However, with [six possible types of CE](#), it's not surprising that even long-time certificants could have a hard time keeping all of the rules straight. I'd like to take this opportunity to answer some common questions about CE.

Type 3 CE, in particular, seems to be quite a misunderstood category. The definition of this category states:

**Type 3:** Completion of a seminar, colloquium, presentation, conference event, workshop or symposium not approved by the BACB, or engaging in supervision activities, only if they relate directly to the practice of behavior analysis. A maximum of 25 percent of the total required number of hours of continuing education may be applied from this category during any three-year certification period.

So, what does that really mean? Personally, I find it easiest to consider Type 3 in terms

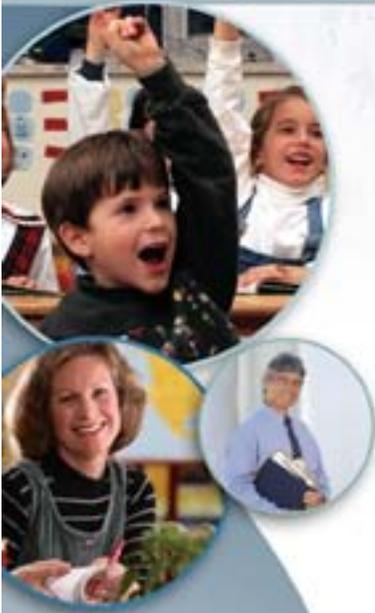
of what it is not:

- It is not college or university classes. (That would be Type 1.)
- It is not an approved CE event sponsored by an Approved Continuing Education (ACE) Provider. (That would be Type 2.)
- It is not instruction of a Type 1 or Type 2 event. (That would be Type 4.)
- It is not a BACB-sponsored activity. (That would be Type 5.)
- It is not passing a BACB exam after you've been certified. (That would be Type 6.)

In other words, if an event is directly related to the practice of behavior analysis and does not fall into one of the other CE categories, you can most likely claim it as Type 3 CE. For example, you might claim Type 3 CE for:

attending a community outreach presentation for parents to learn more about how behavior analysis can help their families;

giving a presentation to businesses or schools about how behavior analysis can be used to improve their systems;



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## Continuing Education: Some Clarifications *cont'd*

attending a presentation about a particular client population that you encounter in your practice of behavior analysis;

giving a guest lecture for university students about your work as a behavior analyst;

participating in a peer-review meeting of applied behavior analysis programs (similar to Florida's Local Review Committee system); or

attending a behavior analysis conference or event that does not offer Type 2 CE.

When I speak with certificants about Type 3 CE, many discover that they have more possible CE hours than they had imagined. Some are even surprised to learn that so many kinds of events can be applied to their CE requirements. Keep in mind, though, that this category has a cap of 25%, so only one quarter of your CE can come from these kinds of events. Also, events that cover non-behavior analytic material not directly related to the practice of behavior analysis are not appropriate for Type 3 CE. For example, events covering counseling techniques, hypnotherapy, chelation therapy, psychotherapy, nutrition, accounting, or bookkeeping should not be claimed for Type 3 CE.

If you haven't reviewed the Type 3 CE description in a while, you'll notice the addition of "engaging in supervision activities." When the Rules for Supervision of BCaBAs were created, the Board of Directors included a provision that allows certificants to use that supervision as Type 3 CE. Last year, we received several questions from BCBAAs supervising people who are gaining experience toward certification, wondering if the supervision they were providing could count as Type 3 CE. We had similar questions from BCBAAs who supervise less-experienced BCBAAs. These questions prompted discussion and it was determined that all of these types of supervision activities are appropriate for Type 3 CE. The standard was then amended to include supervision activities.

Once you've determined that you have attended events that can be claimed for Type 3 CE, the question then becomes how to document it. According to the standards, the required documentation for Type 3 CE is:

*Attestation signed and dated by the certificant.*

That's it! You (the certificant) should create and sign a document stating the event title, date, and number of hours that the event covered content directly related to the practice of behavior analysis. Remember, one hour you spent in the event is one hour of CE. You should only claim time that meets the requirements for Type 3 CE. So if you attend an all-day conference but attend only two hours' worth of sessions related to behavior analysis, you should only claim two hours of CE.

Another requirement that is the subject of many questions is the ethics and professional behavior requirement, which went into effect in July 2008. Out of the 36 (BCBA) or 24 (BCaBA) hours of CE you gain during each three-year recertification cycle, at least three hours must cover content in ethics and professional behavior. These three hours can come from any of the CE categories.

Since the announcement of this requirement, I've noticed an increase in the availability of CE events covering ethics and professional behavior. Still, some certificants worry about how to be sure an event meets the requirement. If an event counts as CE and has "ethics" in the title, it's a pretty safe bet that it will count. Some ACE providers have even begun specifically identifying these events in their program materials. However, it's not always as easy to figure out what might count as "professional behavior." Some examples of the types of topics that would count as professional behavior are:

- Updates on legislative issues in your area
- Professionalism and related skills and strategies
- Updates on the status of certification/credentialing
- Practicing within your scope of competence
- Effective supervision strategies

Although the examples provided in this article are not all-inclusive, I hope they provide some guidance to you as you decide which events to use toward your recertification requirements. If you have additional questions about CE or maintaining your certification, please send them to [maintenance@bacb.com](mailto:maintenance@bacb.com).



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## The Back Office

*Ira Ehrlich, MSW, BCBA  
Director of Operations and Management*

We have made a number of changes in operations since our last newsletter. We have moved our offices to:

**2888 Remington Green Lane, Ste C,  
Tallahassee, FL 32308**

Our phone numbers remain the same:

**850-765-0905** phone  
**904-212-1688** fax

We have made some significant gains in improving customer service. Our office telephone hours have expanded to 9AM to 4PM EST Monday to Friday, exclusive of Federal Holidays. We strive to respond to inquiries within two workdays and we have been meeting this goal. Our staff has worked very diligently to accomplish this.

We have employed Exchange Server to manage emails and hopefully this will enable us to better track emails. We have had an inordinate number disappear into cyberspace.

Our major obstacle to meeting our customer service commitment has been the functioning of our web portal. I'm sure many of you have had difficulties using the system. We spent many months trying to get our IT vendor to respond and, in November, terminated our relationship with them. We then redeployed the system to our Tallahassee office and we are developing a new system to better meet all of our needs. We appreciate your patience throughout this process. We will have some positive news on this front soon.

## Annual Renewal vs. Recertification: What's the Big Difference?

We often hear from certificants who do not understand why you must renew your certification on an annual basis, in addition to recertifying at the end of your three-year certification cycle. All certificants agreed to these processes when applying for certification. Yet, questions still arise regarding the Annual Renewal vs. Recertification requirements.

Annual Renewal is very different from the Recertification process. The two should not be confused. Annual Renewal is a set period of time when we ensure that your contact information is up to date and that you remain in compliance with the BACB's Professional Disciplinary and Ethical Standards. All certificants are required to report, within 30 days, any change of contact information and/or filing of charges, investigations or allegations against them. The Annual Renewal process is often when we discover those who failed to timely report such matters. If you fail to complete your Annual Renewal, then you will no longer be listed on the registry and you should cease and desist from using the BACB's certification credential. For

purposes of employer billing and insurance requirements, if you fix the problem within your three-year certification cycle (Reenter), then the BACB will not act on your continued use of the trademarked certification credential during the period when you failed to renew. So long as you fix the problem during your certification cycle and do not have any disciplinary issues outstanding, your certification cycle will not be disrupted.

Recertification requires that you document your educational/experiential activities during your certification cycle. Where renewal tells us whether your contact and disciplinary information remain unchanged, recertification tells us whether you have complied with the BACB's continuing education requirements. Again, these are very different processes. If you fail to recertify or if you attempt to recertify with inadequate approved continuing education, you will not receive a new certificate, your name will be removed from the registry, and the BACB will take any and all action needed, including possible legal action, to require you to cease and desist from



## Annual Renewal vs. Recertification: What's the Big Difference? *cont'd*

continued use of the BACB's credentials. If you continue to bill as a BCBA or BCaBA after you have failed to recertify, then you may be engaging in fraudulent billing.

Consumers, employers and now, more frequently, licensure authorities, look to the BACB's credentials as being valid and reliable. In a nutshell:

1. The BACB is committed to assuring the

public that we have taken reasonable steps to confirm the accuracy of the information you provide to the BACB, that is why you must annually renew; and

2. The BACB is committed to assuring the public that you have continued your education and remain up-to-date with current practices; which is why you must Recertify every 3 years.

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## BACB @ ABAI

The BACB will, once again, participate in events for certificants during the annual convention held by the Association for Behavior Analysis, International. Below are events that may be of interest:

### FRIDAY - MONDAY

#### BACB Exhibit

5/28/2010 – 5/31/2010

See ABAI program for exhibit area hours and location

### SATURDAY

#### SQAB Tutorial: The Behavior Analyst Certification Board and the Behavior Analyst Profession

Gerald L. Shook (BACB)

Special Event #87

5/29/2010

4:00PM – 4:50PM

Room 007CD (CC)

#### Behavior Analyst Certification Board: International Certification Development

Chair: Gerald L. Shook (BACB)

Business Meeting #101

5/29/2010

7:30PM – 8:20PM

Room 218 (CC)

Type 5 CE available through BACB



## BACB @ ABAI *cont'd...*

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### SUNDAY

#### **Behavior Analyst Certification Board: University Contact Faculty**

Chair: Gerald L. Shook (BACB)  
Business Meeting #120  
5/30/2010  
8:00AM – 8:50AM  
Room 006D (CC)

#### **Behavior Analyst Certification Board: Status and New Developments**

Chair: Gerald L. Shook (BACB)  
Business Meeting #308  
5/30/2010  
7:30PM – 8:20PM  
Room 214C (CC)  
Type 5 CE available through BACB

### MONDAY

#### **Behavior Analyst Certification Board: Introduction & Application**

Chair: Christine L. Ratcliff (BACB)  
Business Meeting #481  
5/31/2010  
7:30PM – 8:20PM  
Room 215 (CC)

#### **ABAI Practice Board: Autism Insurance Summit**

Chair: Michael F. Dorsey (Endicott College)  
Special Event #483  
5/31/2010  
7:30PM – 10:30PM  
Room 216A (CC)

### TUESDAY

#### **Professional Development Series: Issues & Implications from Graduate Program Directors, Service Providers, and BACB Personnel**

Chair: Tom Sharpe (Educational Consulting, Inc.) [Panelist: Christine L. Ratcliff (BACB)]  
Panel Discussion #510  
6/1/2010  
9:30AM – 10:50AM  
Texas Ballroom Salon E (Grand Hyatt)

Got comments, questions or suggestions regarding this newsletter?

Email [christine@bacb.com](mailto:christine@bacb.com)