

## **Behavior Analyst Certification Board®**

### **PROFESSIONAL DISCIPLINARY AND ETHICAL STANDARDS (2010)**

The BACB may issue sanctions, including, but not limited to, denials of initial certification, renewal or recertification, revocation, suspension or any other limitation of certification or combination of sanctions. Grounds for issuing sanctions include:

1. Ineligibility for certification, regardless of when the ineligibility is discovered;
2. Any violation of a BACB rule or procedure, as may be revised from time to time, and any failure to provide information requested by BACB, or to update (within thirty days) information previously provided to BACB, including, but not limited to, any failure to timely report to BACB an action, complaint, or charge that relates to rules 6-8 of these grounds for disciplinary action;
3. Unauthorized possession of, use of, distribution of, or access to
  - i. BACB exams,
  - ii. Certificates,
  - iii. Logo of BACB,
  - iv. Trademarks and abbreviations relating thereto, including, but not limited to, misrepresentation of self, professional practice or BACB certification status, prior to or following the grant of certification by BACB, if any. *Individuals not certified by the BACB are expressly prohibited from misrepresenting that they are BACB certified as either a BCBA or BCaBA, or misrepresenting eligibility for BCBA or BCaBA certification, including misrepresentations of similar designations designed to imply BACB certification or eligibility status. **This rule will be enforced against individuals who have graduated from a certificate awarding educational program, who are not entitled to represent BACB certification until such time as they are certified by the BACB.** Applicants for certification who have previously misrepresented BACB certification or eligibility status may be subject to additional fines and penalties (\$500 for each occurrence) for the misrepresentations prior to consideration of their certification application; and*
  - v. Any other BACB documents and materials.
4. Any examination irregularity, including, but not limited to, copying answers, permitting another to copy answers, disrupting the conduct of an examination, falsifying information or identification, education or credentials, providing and/or receiving unauthorized advice about exam content before, during, or following the examination. In addition to other authorized sanctions, the BACB may delay, cancel or refuse to release examination results if an exam irregularity has been demonstrated;
5. Obtaining or attempting to obtain certification or recertification for oneself or another by a false or misleading statement or failure to make a required statement, or fraud or deceit in any communication to BACB;

6. 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. *Gross or repeated negligence complaints must include evidence of a disciplinary review and formal finding by an employer, professional peer review organization/group, governing official, federal or state agency, or other licensing or certification board. If the certificant was not overseen by an employing agency, governing official agency, or other Board, then the BACB President and Executive Director shall determine, by consensus, whether the complaint should be submitted to a Review Committee. Incompetence or malpractice must be evidenced by official determinations (such as, court orders, jury findings, or treatment professional findings of incompetence or malpractice);*
7. Limitation, sanction, revocation or suspension by a health care organization, professional organization, or other private or governmental body, relating to behavior analysis practice, public health or safety or behavior analysis certification;
8. Any conviction of a felony or misdemeanor directly relating to behavior analysis practice and/or public health and safety.
9. Failure to adequately supervise or be supervised in accordance with the BACB Standards for Supervision.