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HOUSE BILL NO. 926

Offered January 8, 2014

Prefiled January 8, 2014

A *BILL to amend and reenact § 54.1-2957.17 of the Code of Virginia and to amend the Code of Virginia by adding in Article 4 of Chapter 29 of Title 54.1 a section numbered 54.1-2957.18, relating to behavior analysis; licensure.*

Patron—Greason

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2957.17 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 4 of Chapter 29 of Title 54.1 a section numbered 54.1-2957.18 as follows:

§ 54.1-2957.17. Exceptions to licensure requirements; supervision of unlicensed individuals by licensed behavior analysts and licensed assistant behavior analysts.

A. The provisions of § 54.1-2957.16 shall not be construed as prohibiting any professional licensed, certified, or registered by a health regulatory board from acting within the scope of his practice.

B. The licensure requirements for behavior analysts and assistant behavior analysts provided herein shall not prohibit the practice of behavior analysis as an integral part of a program of study by students enrolled in an accredited education program recognized by the Board. Any student enrolled in such an education program shall be identified as "student behavior analyst" or "student assistant behavior analyst" and shall only provide behavior analysis services or activities that constitute a part of his course of study and are under the supervision of a practitioner licensed in accordance with this chapter.

§ 54.1-2957.18. Advisory Board on Behavior Analysis.

A. The Advisory Board on Behavior Analysis (Advisory Board) shall assist the Board in carrying out the provisions of this chapter regarding the qualifications, examination, and regulation of licensed behavior analysts and licensed assistant behavior analysts.

B. The Advisory Board shall consist of five members appointed by the Governor for four-year terms as follows: two members shall be, at the time of appointment, licensed behavior analysts who have practiced for at least three years; one member shall be, at the time of appointment, a licensed assistant behavior analyst who has practiced for not less than three years; one member shall be a physician licensed by the Board who is familiar with the principles of behavior analysis; and one member shall be a consumer of applied behavior analysis who does not hold a license as a behavior analyst or assistant behavior analyst who is appointed by the Governor from the Commonwealth at large. Vacancies occurring other than by expiration of terms shall be filled for the unexpired term.

C. The Advisory Board shall, under the authority of the Board, recommend to the Board for its enactment into regulation the criteria for licensure as a behavior analyst or an assistant behavior analyst and the standards of professional conduct for holders of such licenses.

The Advisory Board shall also assist in such other matters relating to behavior analysis as the Board in its discretion may direct.

2. That the initial terms for the members appointed to the Advisory Board on Behavior Analysis pursuant to § 54.1-2957.18 of this act shall be staggered as follows: two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and one member shall be appointed for a three-year term.

INTRODUCED

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