

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1954

By: Representative Andrews
By: Senator Irvin

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS BEHAVIOR ANALYST
REGISTRATION ACT; TO INCLUDE QUALIFIED BEHAVIOR
ANALYSTS UNDER THE ARKANSAS BEHAVIOR ANALYST
REGISTRATION ACT; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS BEHAVIOR ANALYST
REGISTRATION ACT; AND TO INCLUDE
QUALIFIED BEHAVIOR ANALYSTS UNDER THE
ARKANSAS BEHAVIOR ANALYST REGISTRATION
ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative intent.

(a) It is the intent of the General Assembly to add additional
language concerning qualified behavior analysts to the Arkansas Behavior
Analyst Registration Act under HB1245 of 202 which has been transmitted to
the Governor's Office but has not been signed as an act at this time.

(b) This act does not repeal the Arkansas Behavior Analyst
Registration Act under HB1245 of 2025.

SECTION 2. Arkansas Code Title 17, Subchapter 97, is amended to add an
additional subchapter to read as follows:

Subchapter 6 – Behavior Analysts

17-97-601. Title.



1 This subchapter shall be known and may be cited as the "Arkansas
2 Behavior Analyst Registration Act".

3
4 17-97-602. Definition.

5 As used in this subchapter, "registered behavior analyst" means an
6 individual who is registered to practice behavior analysis independently by
7 the Arkansas Psychology Board under this subchapter.

8
9 17-97-603. Unlawful practice of applied behavior analysis.

10 (a) Unless registered under this subchapter, a person shall not:

11 (1) Hold himself or herself out to be a registered behavior
12 analyst; or

13 (2) Use any combination or abbreviation of the term "registered
14 behavior analyst" to indicate or imply that he or she is a registered
15 behavior analyst.

16 (b)(1) A person found to be in violation of subsection (a) of this
17 section is subject to a fine of no less than five hundred dollars (\$500) and
18 no more than one thousand dollars (\$1,000).

19 (2) A person registered under this subchapter who violates this
20 subchapter is subject to administrative sanctions and penalties, including
21 without limitation a fine of no more than five thousand dollars (\$5,000) and
22 revocation of his or her registration.

23
24 17-97-604. Registration.

25 (a) Each applicant for registration as a registered behavior analyst
26 shall submit to the Arkansas Psychology Board:

27 (1) An application;

28 (2) An application fee that does not exceed two hundred dollars
29 (\$200);

30 (3) Evidence that he or she has successfully completed a
31 criminal background check; and

32 (4) Evidence that he or she is certified as:

33 (A) A board certified behavior analyst or a board
34 certified behavior analyst-doctoral by the Behavior Analyst Certification
35 Board, Inc.; or

36 (B) A qualified behavior analyst by the Qualified Applied

1 Behavior Analysis Credentialing Board.

2 (b) This section does not require additional training or
3 continuing education with any state or national association.

4
5 17-97-605. Expiration and renewal.

6 (a) A registration under this subchapter shall be granted for a period
7 of two (2) years.

8 (b) Before expiration of a registration, the registration may be
9 renewed upon the submission of:

10 (1) A renewal application;

11 (2) A renewal fee that does not exceed one hundred fifty dollars
12 (\$150); and

13 (3) Evidence of verification of current certification.

14 (c) This section does not require additional training or continuing
15 education with any state or national association.

16
17 17-97-606. Temporary registration.

18 (a)(1) A behavior analyst licensed in another jurisdiction or who
19 holds current certification as a board certified behavior analyst, board
20 certified behavior analyst-doctoral, board certified assistant behavior
21 analyst, or equivalent, issued by the Behavior Analyst Certification Board,
22 Inc., or its equivalent approved by the Arkansas Psychology Board to practice
23 independently who provides applied behavior analysis services in this state
24 on a short-term basis may apply for a temporary registration.

25 (2) A behavior analyst licensed in another jurisdiction or who
26 holds current certification as a qualified behavior analyst by the Qualified
27 Applied Behavior Analysis Credentialing Board or its equivalent approved by
28 the Arkansas Psychology Board to practice independently who provides applied
29 behavior analysis services in this state on a short-term basis may apply for
30 a temporary registration.

31 (b) An applicant for a temporary registration shall submit an
32 application and fee established by the Arkansas Psychology Board and evidence
33 that his or her practice in the jurisdiction will be temporary as defined by
34 the Arkansas Psychology Board in rules.

35 (c) A temporary registration shall be granted only if the Arkansas
36 Psychology Board verifies the applicant's licensure or certification status

1 with the relevant entity.

2
3 17-97-607. Reciprocity.

4 (a) The Arkansas Psychology Board may issue a registration to a person
5 who is currently licensed as a behavior analyst in good standing in another
6 jurisdiction that imposes requirements comparable to those specified in this
7 subchapter, including holding a current certification as:

8 (1) A board certified behavior analyst or a board certified
9 behavior analyst-doctoral or equivalent, issued by the Behavior Analyst
10 Certification Board, Inc., or its equivalent; or

11 (2) A qualified behavior analyst by the Qualified Applied
12 Behavior Analysis Credentialing Board.

13 (b) An applicant for reciprocal registration under this section shall
14 have current licensure or certificate verified by the Arkansas Psychology
15 Board and comply with other requirements under § 17-97-604.

16
17 17-97-608. Regulation by Arkansas Psychology Board.

18 (a) The Arkansas Psychology Board shall administer the provisions of
19 this subchapter and may adopt rules that are reasonable and necessary to
20 implement the provisions of this subchapter.

21 (b) The Arkansas Psychology Board may adopt the Ethics Code for
22 Behavior Analysts issued by the Behavior Analyst Certification Board, Inc.,
23 as existing on January 1, 2025, and the Code of Ethics issued by the
24 Qualified Applied Behavior Analysis Credentialing Board.

25
26 SECTION 3. Arkansas Code § 17-97-201(a)(3), concerning the creation
27 and members of the Arkansas Psychology Board, is amended to add an additional
28 subdivision to read as follows:

29 (D) At least one (1) of the members appointed under
30 subdivision (a)(2) of this section shall be a licensed psychologist who is a
31 board certified behavior analyst, qualified behavior analyst, or has a
32 background and experience providing behavior analysis services.

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35 **APPROVED: 4/17/25**