

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S2/13/25

A Bill

HOUSE BILL 1245

5 By: Representatives Clowney, Maddox
6 By: Senator Irvin
7

For An Act To Be Entitled

8 AN ACT TO CREATE THE ARKANSAS BEHAVIOR ANALYST
9 REGISTRATION ACT; AND FOR OTHER PURPOSES.
10
11

Subtitle

12 TO CREATE THE ARKANSAS BEHAVIOR ANALYST
13 REGISTRATION ACT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 17, Subchapter 97, is amended to add an
20 additional subchapter to read as follows:

Subchapter 6 – Behavior Analysts

17-97-601. Title.

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23 This subchapter shall be known and may be cited as the "Arkansas
24 Behavior Analyst Registration Act".
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17-97-602. Definitions.

27 As used in this subchapter, "registered behavior analyst" means an
28 individual who is registered to practice behavior analysis independently by
29 the Arkansas Psychology Board under this subchapter.
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17-97-603. Unlawful practice of applied behavior analysis.

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

33 (1) Hold himself or herself out to be a registered behavior
34 analyst; or
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36 (2) Use any combination or abbreviation of the term "registered



1 behavior analyst" to indicate or imply that he or she is a registered
2 behavior analyst.

3 (b)(1) A person found to be in violation of this subchapter is subject
4 to a fine of no less than five hundred dollars (\$500).

5 (2) A person registered under this subchapter who violates this
6 subchapter is subject to administrative sanctions and penalties, including
7 without limitation revocation of his or her license.

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9 17-97-604. Registration.

10 Each applicant for registration as a registered behavior analyst shall
11 submit to the Arkansas Psychology Board:

12 (1) An application;

13 (2) Appropriate application fees as determined by the board;

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

16 (4) Evidence that he or she is certified by the Behavior Analyst
17 Certification Board, Inc., as a board certified behavior analyst or a board
18 certified behavior analyst-doctoral.

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20 17-97-605. Expiration and renewal.

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

23 (b) Before expiration of a license, the registration may be renewed
24 upon submission of:

25 (1) A renewal application;

26 (2) Appropriate renewal fees determined by the Arkansas
27 Psychology Board; and

28 (3) Evidence of verification of current certification.

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30 17-97-606. Temporary registration.

31 (a) A behavior analyst licensed in another jurisdiction or who holds
32 current certification as a board certified behavior analyst, board certified
33 behavior analyst-doctoral, board certified assistant behavior analyst, or
34 equivalent, issued by the Behavior Analyst Certification Board, Inc., or its
35 equivalent approved by the Arkansas Psychology Board to practice
36 independently who provides applied behavior analysis services in this state

1 on a short-term basis may apply for a temporary registration.

2 (b) An applicant for a temporary registration shall submit an
3 application and fee established by the Arkansas Psychology Board and evidence
4 that their practice in the jurisdiction will be temporary as defined by the
5 Arkansas Psychology Board in rules.

6 (c) A temporary registration shall be granted only if the Arkansas
7 Psychology Board verifies the applicant's licensure or certification status
8 with the relevant entity.

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10 17-97-607. Reciprocity.

11 (a) The Arkansas Psychology Board may issue a registration to a person
12 who is currently licensed as a behavior analyst in good standing in another
13 jurisdiction that imposes requirements comparable to those specified in this
14 subchapter, including holding current certification as a board certified
15 behavior analyst or a board certified behavior analyst-doctoral or
16 equivalent, issued by the Behavior Analyst Certification Board, Inc., or its
17 equivalent.

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

21
22 17-97-608. Regulation by Arkansas Psychology Board.

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

26 (b) The Arkansas Psychology Board may adopt the Ethics Code for
27 Behavior Analysts issued by the Behavior Analyst Certification Board, Inc.,
28 as existing on January 1, 2025.

29
30 SECTION 2. Arkansas Code § 17-97-201(a)(3), concerning the creation
31 and members of the Arkansas Psychology Board, is amended to add an additional
32 subdivision to read as follows:

33 (D) At least one (1) of the members appointed under
34 subdivision (a)(2) of this section shall be a licensed psychologist who is
35 either a board certified behavior analyst or has a background and experience
36 providing behavior analysis services.

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/s/Clowney