

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

State of Arkansas      *As Engrossed: S2/13/25 S3/6/25 S3/13/25*  
95th General Assembly      **A Bill**  
Regular Session, 2025

HOUSE BILL 1245

By: Representatives Clowney, Maddox

By: Senator Irvin

### **For An Act To Be Entitled**

AN ACT TO CREATE THE ARKANSAS BEHAVIOR ANALYST  
REGISTRATION ACT; AND FOR OTHER PURPOSES.

### **Subtitle**

TO CREATE THE ARKANSAS BEHAVIOR ANALYST  
REGISTRATION ACT.

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

SECTION 1. 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.

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

##### 17-97-602. Definitions.

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

##### 17-97-603. Unlawful practice of applied behavior analysis.

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

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

(2) Use any combination or abbreviation of the term "registered



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

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

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

17-97-604. Registration.

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

(1) An application;

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

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

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

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

17-97-605. Expiration and renewal.

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

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

(1) A renewal application;

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

(3) Evidence of verification of current certification.

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

17-97-606. Temporary registration.

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

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

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

17-97-607. Reciprocity.

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

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

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

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

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

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

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

/s/Clowney