

**RULE**

**Department of Health and Hospitals**

**Louisiana Behavior Analyst Board**

In accordance with R.S.49:95 et seq., the Administrative Procedure Act, notice is hereby given that the Department of Health & Hospitals, Behavior Analyst Board is adopting a final rule, LAC 46:VIII.Chapter 3, Application Procedures and Board Fees. This final rule provides a procedure to collect applications for the licensure of behavior analysts, certification of assistant behavior analysts and registration of line technicians. This rule also requires licensing and administrative fees for regulation under the Behavior Analyst Board.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL STANDARDS**

**Part VIII. Behavior Analysts**

**Chapter 3. Application Procedures and Board Fees**

**301. Application Procedures for Licensure/State Certification/ Registration**

- A. Application and/or Registration
1. An application for a license as a behavior analyst, state certified assistant behavior analyst or registration as a line technician may be submitted after the requirements in RS 37:3706-37:3708 are met.
  2. Upon submission of application or registration on the forms provided by the Board, accompanied by such fee determined by the Board, the applicant must attest and acknowledge that the:
    - a. Information provided to the Board is true, correct and complete to the best of his knowledge and belief; and
    - b. The Board reserves the right to deny an application in accordance with RS 37:3706-R.S. 37:3708, if the application or any application materials submitted for consideration contain misrepresentations or falsifications
  3. An applicant, who is denied licensure based on the information submitted to the Board, may reapply to the board after 1 year, and having completed additional training, if necessary and having met the requirements of law as defined in the rules and regulations adopted by the Board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3706-R.S. 37:3708.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Behavior Analysts, LR (September 2014).

### **302. Licensure of Behavior Analysts**

A. The applicant for licensure as a behavior analyst shall:

1. Submit notarized application along with appropriate fee pursuant to Section 305;
2. Provide proof of a Masters Degree by requesting official transcripts from accredited university;
3. Submit verification of successful passage of a national exam administered by a nonprofit organization accredited by the National Commission for Certifying Agencies and the American National Standards Institute to credential professional practitioners of behavior analysis related to the principles and practice of the profession of behavior analysis that is approved by the board.
4. Take and successfully pass the Louisiana Jurisprudence Exam issued by the Board;
5. Complete a Criminal Background Check as approved by the Board; and
6. Provide proof of good moral character as approved by the Board

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3706.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Behavior Analysts, (September 2014).

### **303. Certification of State Certified Assistant Behavior Analysts.**

A. The applicant for certification as a state certified assistant behavior analyst should:

1. Submit notarized application along with appropriate fee pursuant to Section 305;
2. Provide proof of a Bachelors Degree by requesting official transcripts from accredited university;
3. Submit verification of successful passage of a national exam administered by a nonprofit organization accredited by the National Commission for Certifying Agencies and the American National Standards Institute to credential professional practitioners of behavior analysis related to the principles and practice of the profession of behavior analysis that is approved by the board.
4. Take and successfully pass the Louisiana Jurisprudence Exam issued by the Board;
5. Complete a Criminal Background Check approved by the Board;
6. Provide proof of good moral character as approved by the Board; and

7. Provide proof of supervision by a Louisiana licensed behavior analyst on the form required by the Board. If there is more than one supervisor, a form must be submitted for each supervisor.
- B. If the supervision relationship between a Louisiana licensed behavior analyst and state certified assistant behavior analyst ends, both parties are responsible for notifying the board in writing, within 10 calendar days of the termination of the arrangement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3707.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Behavior Analysts, (September 2014).

### 304. Registration of Line Technicians

- A. A Louisiana licensed behavior analyst must register with the board all line technicians functioning under their authority and direction. It is the responsibility of both the licensed behavior analyst and line technician to submit registration paperwork for each supervisory relationship. The registration must be completed on the form provided by the Board along with payment of the appropriate fee pursuant to Section 305.
- B. A line technician must complete a Criminal Background Check approved by the Board.
- C. If the supervision relationship between a Louisiana licensed behavior analyst and line technician ends, both parties are responsible for notifying the board in writing, within 10 calendar days of the termination of the arrangement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3708.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Behavior Analysts, (September 2014).

### 305. Licensing and Administrative Fees

#### A. Licensing Fees

Application for Licensed Behavior Analyst	\$400
Application for State Certified Assistant Behavior Analyst	\$250
Registration for Line Technicians	\$ 50
Temporary Licensure	\$125
Annual Renewal - Behavior Analyst	\$400
Annual Renewal - Assistant Behavior Analyst	\$250
Annual Renewal - Line Technicians	\$ 50
Jurisprudence Examination	\$ 75
Criminal Background Check	\$ 50

**B. Administrative Fees.**

Late fees	\$50
Duplicate copy of license	\$15
Official Name Change on License	\$25
License Verification	\$15
Insufficient Check Fee	\$15
Copies of documents	\$2/page

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3714.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Behavior Analysts, (September 2014).

Respectfully Submitted,

Kelly Parker  
Executive Director

OFFICE OF THE STATE REGISTER INSERTION ORDER (eff.08/02)  
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(SUBMIT A SEPARATE INSERTION ORDER PER DOCUMENT)

EMERGENCY RULE     NOTICE OF INTENT     RULE     POTPOURRI

REFER TO INSTRUCTIONS ON REVERSE SIDE

This is your authority to publish in the (month) September ~~October~~, 20 14 Louisiana Register the document indicated above.

LA Behavior Analyst Board  
Office/Board/Commission promulgating this document

DHH  
Department under which office/board/commission is classified

Kelly Parker                      Exec. Director  
\_\_\_\_\_  
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Name and title of person whose signature will appear in the publication (at the end of the document)

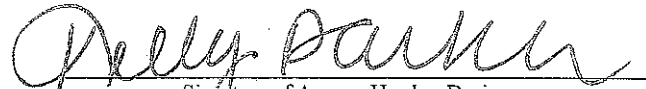
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Provide a short descriptive listing for this document to be used in the Louisiana Register's TABLE OF CONTENTS/INDEX (note: this description should match the fiscal statement title, if sending a Notice of Intent:

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LAC Title 46: Part VIII. Ch. 3 Applications/Fees

  
\_\_\_\_\_  
Signature of Agency Head or Designee  
Kelly Parker, Executive Director  
\_\_\_\_\_  
Print Name and Title of Agency Head or Designee

**Important:** If submitting both an Emergency Rule (ER) and a Notice of Intent (NOI) to be published this month, AND if the rule text in the ER is identical to the rule text in the NOI, check here:

CERTIFICATION OF AVAILABLE FUNDS

DOCUMENT # \_\_\_\_\_

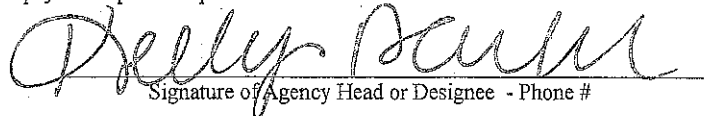
**ISIS AGENCY:** I certify the availability of fiscal year \_\_\_\_\_ appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

AGENCY      ORGANIZATION #      OBJECT      SUB-OBJECT      REPORTING CATEGORY

**NON-ISIS AGENCY:** I certify the availability of fiscal year 14-15 appropriated funds for the payment of the above referenced publication and agree to place corresponding invoice in line for payment upon receipt.

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LBAB

  
\_\_\_\_\_  
Signature of Agency Head or Designee - Phone #

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**EMERGENCY RULE (ER) INSTRUCTIONS:**

1) For an ER which **HAS NOT BEEN PUBLISHED** in the *Louisiana Register* within recent months (either as a previous ER or as a NOI), send the **new ER** on \*diskette and include with the completed insertion order: opening/introductory paragraphs containing effective date and number of days ER in effect; and rule text in LAC codified form with updated Authority and Historical Notes.

2) For an ER which **HAS BEEN PUBLISHED** in the *Louisiana Register* within recent months (either as a previous ER or as a NOI):  
a) if **MINOR REVISIONS** are made, XEROX a copy of the previous ER or NOI from the *Louisiana Register*, and show changes/revisions with a red pen; or  
\*b) if **MAJOR REVISIONS** are made, send a **new ER** on \*diskette and include with the completed insertion order: opening/introductory paragraphs containing effective date and number of days ER in effect; and rule text in LAC codified form with updated Authority and Historical Notes.

**NOTICE OF INTENT (NOI) INSTRUCTIONS:**

1) For a NOI which **HAS NOT BEEN PUBLISHED** in the *Louisiana Register* within recent months (either as a previous NOI or as an ER):  
a) send the **new NOI** on \*diskette and a hard copy. Include, with the completed insertion order: opening/introductory paragraphs; rule text in LAC codified form with updated Authority and Historical Notes; family impact statement; interested persons paragraph; and public hearing paragraph (if one is scheduled). **ALSO** send fiscal and economic impact statement containing **ORIGINAL** signatures.

2) For a NOI which **HAS BEEN PUBLISHED** in the *Louisiana Register* within recent months (either as a previous NOI or as an ER):  
a) if **MINOR REVISIONS** are made, XEROX a copy of the previous NOI or ER from the *Louisiana Register*, and show changes/revisions with a red pen; send the completed insertion order and a \*diskette with opening/introductory paragraphs; interested persons paragraph; and public hearing paragraph (if one is scheduled). **ALSO** send first page of fiscal statement containing **ORIGINAL** signatures; **OR**

\*b) if **MAJOR REVISIONS** are made, send a **new NOI** on \*diskette and include, with the completed insertion order: preamble/introductory paragraphs; rule text in LAC codified form with updated Authority and Historical Notes; family impact statement; interested persons paragraph; and public hearing paragraph (if one is scheduled). **ALSO** send fiscal and economic impact statement containing **ORIGINAL** signatures.

**RULE (RUL) INSTRUCTIONS:**

1) If the NOI was published in full (rule text included) XEROX the entire NOI from the *Louisiana Register* (including page numbers and document number at the end of the fiscal statement) and show changes/revisions with a red pen and include with the completed insertion order.

2) If the NOI referenced the reader to rule text in an ER, XEROX the entire NOI from the *Louisiana Register* (including page numbers and document number at the end of the fiscal statement) and XEROX the entire ER from the *Louisiana Register* (including page numbers and document number at the end of the document); show changes/revisions with a red pen and include with the completed insertion order.

3) If the NOI was referenced (rule text was not printed) xerox the entire NOI from the *Louisiana Register* (including page numbers and document number at the end of the fiscal statement) and show changes/revisions with a red pen and include with the completed insertion order. **IMPORTANT: if changes/revisions have been made to the unpublished rule text since it was originally proposed through the NOI, send a NEW \*diskette of the rule text with all changes incorporated into the document.**

**POTPOURRI (POT) INSTRUCTIONS:**

Send a completed insertion order and a \*diskette containing the document.