

May 23, 2016

The Honorable Lorena S. Gonzalez
California State Assembly
State Capitol, Room 2114
Sacramento, CA 94249-0080

**RE: AB 1715 (Holden) – HEALING ARTS: BEHAVIOR ANALYSIS LICENSING –
SUPPORT IF AMENDED**

Dear Assembly Member Gonzalez:

At its May 20, 2016 meeting, the Board of Psychology (Board) adopted a **Support if Amended** position on AB 1715 (Holden). The bill would create two new licensure and two new registration categories for Behavior Analysis under the authority and jurisdiction of the Board.

The Board supports and agrees with author's intention to regulate the discipline of Applied Behavior Analysis (ABA) under the jurisdiction of the Board. However, the Board has identified a significant concern with the proposed language:

The Board requests the deletion of the exemption for individuals employed or contracted by a local educational agency, or a nonpublic agency or school with a contract with a local educational agency in Proposed Section BPC 2999.38(f). A key component of the consumer protection mandate of the Board is the jurisdiction the Board has over an individual's license to ensure minimal competency. Exempting an entire category from licensure because of their relationships to educational agencies potentially places a large number of ABA practitioners beyond the Board's jurisdiction and does not ensure their minimal competency. The Board is aware of concerns regarding access to care. However, if the legislature believes an individual must obtain minimum standards of competency to provide ABA services to the public, the threshold for such services should not be determined by one's financial status or the setting in which the services are provided. Californians should be confident that ABA services are being given by a trained, ethical individual free of criminal history. Additionally, financially disadvantaged individuals or recipients of services via educational or nonpublic agency should not be deprived of the ability to pursue administrative action with the Board of Psychology if there is a deviation from the standard of care simply because of the agency through which they received services.

The Board's mission is to advance quality psychological services for Californians by ensuring ethical and legal practice and supporting the evolution of the profession.

If you have any questions or concerns, please feel free to contact the Board's Executive Officer, Antonette Sorricks, at (916) 574-7113. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SCPH', with a stylized flourish extending to the right.

STEPHEN C. PHILLIPS, JD, PsyD
President, Board of Psychology

cc: Assembly Committee on Appropriations
Assembly Member Chris R. Holden
Assembly Republican Caucus