

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



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 subsection (a) of this
4 section is subject to a fine of no less than five hundred dollars (\$500) and
5 no more than one thousand dollars (\$1,000).

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

10
11 17-97-604. Registration.

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

14 (1) An application;

15 (2) An application fee that does not exceed two hundred dollars
16 (\$200);

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

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

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

24
25 17-97-605. Expiration and renewal.

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

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

30 (1) A renewal application;

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

33 (3) Evidence of verification of current certification.

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

36

1 17-97-606. Temporary registration.

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

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

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

16
17 17-97-607. Reciprocity.

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

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

28
29 17-97-608. Regulation by Arkansas Psychology Board.

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

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

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

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

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9 /s/Clowney
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