ONTABA’s Position on the Autonomy of Behaviour Analysts in Clinical Practice

This position statement is intended to provide clarification on the unique qualifications of Board Certified Behavior Analysts (BCBAs) regarding clinical practice and supervision in Ontario. The Ontario Association for Behaviour Analysis (ONTABA) recognizes and respects the right of each professional discipline to regulate the practice of its own members within the boundaries of applicable laws and regulations. ONTABA advocates for that same right for appropriately credentialed practitioners of applied behavior analysis (ABA).

**Behaviour analysts should not be required to be regulated or supervised by members of other professions.** The clinical practice of ABA “is a highly specialized behavioural health treatment approach.”¹ Most academic training programs or regulatory bodies within other professional disciplines do not provide or require any training in this area. Therefore, the practice of ABA should be overseen by behavior analysts. In order to identify the specialized knowledge, skill sets, and experience required to ethically and effectively practice the profession of ABA, the Behavior Analyst Certification Board (BACB) has convened numerous panels of subject matter experts and has surveyed tens of thousands of behaviour analysts. Expert psychometricians then analyzed this information. The resultant *BACB Task List (4th edition)* and content of the BACB’s professionally administered examinations reflects expert consensus regarding the competencies required to practice ABA.²

In addition to the *BACB Task List*, all professionals certified by the BACB (i.e., RBT, BCaBA, BCBA, and BCBA-D) are bound by *The Professional and Ethical Compliance Code for Behavior Analysts*³ and are required to practice only within the boundaries of their competence.⁴ In order to protect consumers of behavior analytic services, the BACB conducts a vigorous ethics enforcement process for behavior analysts. The process includes a complaint mechanism, compliance and disciplinary review processes, and an appeal process for cases resulting in reportable sanctions. This means that any individual certified by the BACB claiming to have proficiency as a clinical supervisor, senior therapist, or implementer of behaviour analytic services who does not have the necessary training, practice, and competence within that specific practice area is subject to corrective action. This corrective action includes, but is not

³ *BACB Professional and Ethical Compliance Code for Behavior Analysts*, 2014
⁴ BACB Guideline 1.02, Boundaries of Competence
limited to, the denial of renewal, suspension, or revocation of their BACB certification. Further, the BACB explicitly states that certified practitioners must have knowledge of, and abide by, the local laws and policies that govern their practice, which includes: an understanding of the applicable/local laws around confidentiality,\(^5\) maintenance of patient records,\(^6\) personal information disclosure,\(^7\) informed consent,\(^8\) documentation,\(^9\) fee structures,\(^10\) cultural sensitivity, prevention of discrimination,\(^11\) and ethical research practices.\(^12\) In fact, it is an infraction of \textit{The Professional and Ethical Compliance Code for Behavior Analysts} to be unfamiliar with these requirements.\(^13\) When issues specific to the laws and regulations of a specific province are brought forward, the BACB draws upon subject matter experts from the respective region to ensure local policy and laws are enforced. Finally, the code states that “above all other professional training, behavior analysts uphold and advance the values, ethics, and principles of the profession of behavior analysis”\(^14\) and “behavior analysts claim as credentials for their behavior-analytic work, only degrees that were primarily or exclusively behavior-analytic in content.”\(^15\)

**ONTABA recognizes the importance of competency in ethics and jurisprudence requirements that are specific to Ontario.** Currently, practitioners seeking BACB certification are not assessed on their knowledge of Ontario-specific jurisprudence. Therefore, up to this point, practitioners certified by the BACB in Ontario have not been provided the opportunity to demonstrate their knowledge and competence in this area. To provide Ontario practitioners the opportunity to demonstrate their knowledge and competence of Ontario-specific jurisprudence, the BACB has agreed to work with ONTABA to develop training modules and a psychometrically defensible examination for Ontario-specific jurisprudence. It is anticipated that this could easily be included as a requirement within all models of regulation currently under consideration.

**The BCBA/BCBA-D credential is the necessary and sufficient qualification for the supervision of ABA programming in the treatment of autism.** The BACB’s \textit{Applied Behavior Analysis Treatment of Autism Spectrum Disorder: Practice Guidelines for Healthcare Funders and Managers} identifies the BCBA/BCBA-D credential as the appropriate supervisory qualification. It is important to note that working groups comprised of behavior-analytic experts

\(^5\) BACB Code Element 2.06, Maintaining Confidentiality
\(^6\) BACB Code Element 2.06, Maintaining Confidentiality; 2.11, Records and Data
\(^7\) BACB Code Element 2.08, Disclosures
\(^8\) BACB Code Element 9.03, Informed Consent
\(^9\) BACB Code Element 2.10, Documenting Professional Work and Research
\(^10\) BACB Code Element 2.12, Contracts, Fees, and Financial Arrangements
\(^11\) BACB Code Element 1.05d, Professional and Scientific Relationships; 2.08 Disclosures
\(^12\) BACB Code Element 9.01, Conforming with Laws and Regulations
\(^13\) BACB Code Element 10.06, Being Familiar with This Code
\(^14\) BACB Code Element 6.01, Affirming Principles
\(^15\) BACB Code Element 8.01a, Avoiding False or Deceptive Statements
in autism, not BACB staff, developed these practice guidelines. Allowing BCBAs with the necessary and sufficient training and experience to supervise behaviour-analytic programs will improve accessibility to programming, decrease waitlists, make services more cost-effective for families and government, while increasing service capacity in the province. Restricting this function to current regulated healthcare professionals may result in (a) barriers to accessing services and (b) behaviour analytic programs overseen by professionals who have limited, if any, training in ABA. It should be noted that a very small subset of clinicians may hold a license in another profession (e.g., SLP, psychologist, OT) as well as a BACB certification. However, it is extremely clear that the need for supervisory services in the province far exceeds the number of individuals regulated by other professional bodies who also hold a BACB certification, which provides further support for the autonomy of BCBAs and BCBA-Ds.

**Public protection is paramount to ONTABA and its membership.** The practice of behaviour analysis is most appropriately protected through regulation that is tailored to the unique needs of behaviour analysts and consumers of behavior analytic services in Ontario. A regulatory body that is specific to Ontario (i.e., a College of Behaviour Analysts of Ontario) and that is aligned with the BACB is vital for (a) ensuring public safety and (b) professionalizing the practice of behaviour analysis in Ontario. Title Protection may be a necessary first step and can provide interim protections before public regulation is fully realized (see the SEG Report on Certification/Regulation for ABA Practitioners commissioned by the Ministry of Children and Youth Services, December 2014).

The practice of “is a highly specialized behavioural health treatment approach.”

In the interest of ensuring the delivery of ethical and effective behaviour analytic services in Ontario, it is prudent that behavior analysis has its own autonomous regulatory body in order to protect all consumers of behavior analytic services. Regulation of behavior analysis will provide this protection by ensuring that all practitioners (including those in a supervisory role) have the necessary and sufficient training and qualifications in ABA.

**ONTABA is the largest professional organization representing behaviour analysts in Canada and the elected voice of behaviour analysts in Ontario. We serve as a resource for practitioners and consumers of behaviour analytic services, a respected community partner, and a dedicated advocate for individuals in need of life-changing behaviour analytic services. Our mission is to demonstrate leadership, knowledge, and innovation in education, training, and research for the ethical and effective application of behaviour analysis. Our vision is to foster a culture of excellence, integrity, and expertise for the advancement and promotion of the science of behaviour analysis.**

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Resources:


- Association of Professional Behavior Analysts Position Statement on Government Regulation of Practice
  http://www.apbahome.net/pdf/APBA-Position-on-Regulation.pdf

- Behaviour Analyst Certification Board Fourth Edition Task List

- Behaviour Analyst Certification Board Professional and Ethical Compliance Code