

Arizona Board of Psychologist Examiners

Substantive Policy Statement No. SP.01-25

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedures Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.

BEHAVIOR ANALYST LICENSURE EXEMPTIONS ESTABLISHED AT A.R.S. §§ 32-2091.08(A)(03) AND 32-2091.08(a)(6)

The Arizona Board of Psychologist Examiners (“Board”) has adopted this Substantive Policy Statement to provide the public with information useful in the Board’s implementation and interpretation of A.R.S. §32-2091.08(A)(3), which establishes a licensure exemption for a matriculated graduate student, or a trainee whose activities are part of a defined behavior analysis program of study, practicum, intensive practicum or supervised independent fieldwork (hereafter, “trainee”). This practice requires direct supervision consistent with the standards set by a nationally recognized behavior analyst certification board, the Behavior Analyst Certification Board (BACB).

Behavior Analysts (BCBAs) who are certified by the BACB, who do not meet any of the licensure exemptions established at A.R.S. §32-2091.08 and who are not licensed by the Arizona

Board of Psychologist Examiners, are not authorized by Arizona law to independently provide behavior analytic services in the State of Arizona.

Pursuant to A.R.S. §32-2091.08(A)(3) all behavior analytic services provided in Arizona by a matriculated graduate student, or a trainee, shall only occur under the direct supervision of an Arizona licensed behavior analyst. All service provision by a matriculated graduate student, or a trainee shall be directed by a documented supervision plan as defined at A.A.C. R4-26-404.2(C)(6), that conforms to all of the BACB's current supervision standards. Those standards are published in the Ethics Code for Behavior Analysts, 2024 edition, updated August 2024 (hereafter, "Code"). The Board has incorporated by reference this Code at A.A.C. R4-26-406.

All documentation described above is subject to the Board's investigative authority established at A.R.S. §32-2063 and may be subpoenaed pursuant to A.R.S. §32-2091.10.

Pursuant to A.R.S. §32-2091.08(A)(3), all behavior analytic services provided in Arizona by a person who is not licensed by the Board shall only occur under the direct supervision of an Arizona licensed behavior analyst. Even if the person is certified by the BACB, the person is prohibited by A.R.S. §32-2091.08(A) from claiming to be a behavior analyst, and shall use a title reflecting their paraprofessional status, such as "behavior analysis student" or "behavior analysis trainee".

Pursuant to A.R.S. §32-2091.08(A)(6), all behavior analytic services provided in Arizona by a person who is not a matriculated graduate student or a trainee shall only occur under the direct supervision of an Arizona licensed behavior analyst. All service provision by a person who is not a matriculated graduate student or a trainee, such as a BCBA or Technician, shall be directed and delegated by a licensed behavior analyst pursuant to A.R.S. §32-2091(12)(p) and

documented as such pursuant to A.R.S. §32-2091(12)(h). The person is prohibited by A.R.S. §32-2091.08(A) from claiming to be a behavior analyst, and shall use a title reflecting their paraprofessional status, such as “behavior technician” or “ABA technician”.

All documentation described above is subject to the Board’s investigative authority established at A.R.S. §32-2063 and may be subpoenaed pursuant to A.R.S. §32-2091.10.

Pursuant to the Code, the Arizona licensed behavior analyst who consents to provide supervision shall:

- Assume all responsibility for all behavior analysis services – including but not limited to services performed by a technician, a matriculated graduate student or a trainee – provided to all clients under his or her extended authority, supervision and authorization;
- Ensure the competence of the person before delegating any task;
- Establish individualized supervisory frequency specific to each client’s needs; and
- Actively monitor and evaluate effectiveness in achieving client outcomes for all clients assigned or delegated.

Pursuant to A.R.S. §32-2091.12, with respect to an Arizona licensee who supervises any person, it is an act of unprofessional conduct, subject to discipline by the Board, to:

- Aide or abet a person who is not licensed pursuant to this article in representing that person as a behavior analyst [subsection (d)];
- Engage as a behavior analyst in activities that are not congruent with the behavior analyst's professional education, training and experience [subsection (g)];

- Falsely or fraudulently claiming to have performed a professional service, charging for a service or representing a service as the licensee's own if the licensee has not rendered the service or assumed supervisory responsibility for the service [subsection (p)]; and
- Represent activities or services as being performed under the licensee's supervision if the behavior analyst has not assumed responsibility for them and has not exercised control, oversight and review [subsection (q)].

Pursuant to A.R.S. §32-2091.12(C), it is a class 2 misdemeanor for a person who is not licensed pursuant to this article to use any combination of words, initials and symbols that leads the public to believe the person is licensed to practice behavior analysis in this state.

Adopted: May 2, 2025