

Exceptions for Other Professionals the 2024 MN BCBA Licensing Bill (SF3523 HF3741)

In Brief:

This bill will not restrict the practice of any professional who is otherwise already licensed, certified, or registered by the State of Minnesota to practice within their scope of practice. It also does not restrict employees of 245D licensed programs, or school employees, or teachers in colleges.

All other professionals will be able to maintain their current employment, while they seek to attain the license, by practicing under appropriate supervision by a BCBA or Licensed Psychologist.

There will be a grace period during which current BCBAs can continue to practice while they apply for their license.

Here are the specific exceptions in Sec. 7 of the bill [148.9987]:

This bill does not prohibit or restrict the practice of an individual who is:

- Licensed to practice psychology,
- Providing psychological services under the supervision of a licensed psychologist,
- Licensed, certified, or registered by the State to practice any other profession or occupation to perform any act that falls within their scope of practice,
- Providing behavior analysis services as part of the individual's employment with a school district,
- An employee of a program licensed under chapter 245D from providing behavioral support services, specialist services, or crisis respite services,
- Teaching behavior analysis or conducting behavior analysis research if the teaching or research does not involve the direct delivery of behavior analysis services,
- A family member or guardian of the recipient of behavior analysis services, or
- A student or intern or practicum student enrolled in an accredited school or educational program, while supervised by their instructor, or a licensed behavior analyst, or a psychologist.