**Section 1376.70 Dishonorable, Unethical, or Unprofessional Conduct**

The Division may suspend or revoke a license, refuse to issue or renew a license or take other disciplinary action based upon its findings of dishonorable, unethical, or unprofessional conduct likely to deceive, defraud, or harm the public pursuant to Section 60(a)(9) of the Act, which includes but is not limited to, the following acts or practices:

a) Engaging in conduct demonstrating a willful disregard for the health, welfare, or safety of a client. Actual injury need not be established.

b) Engaging in behavior that violates professional boundaries (such as signing wills or other documents not related to client health care).

c) Engaging in sexual conduct with a client or conduct that may reasonably be interpreted by a client as sexual, or behavior that is sexually harassing to a client, including any verbal behavior that is sexual harassing.

d) Demonstrating actual or potential inability to practice with reasonable skill, safety, or judgment by a reason of illness, use of alcohol, drugs, chemicals, or any other material or as a result of any mental or physical condition.

e) Misrepresenting educational background, training, credential, or competence.

f) Practicing, condoning, facilitating, collaborating with or engaging in discrimination based on sex, age, culture, disability, ethnicity, race, religion, gender, gender identity, sexual orientation, marital status/partnership, language preference, socioeconomic status, or any basis prescribed by law.

g) Revealing facts, data, or information relating to a client, except as allowed under the Mental Health and Developmental Disabilities Confidentiality Act [405 ILCS 5] or any other federal or State law.

h) Failing to take appropriate steps to protect the privacy of a client and avoid unnecessary disclosures of confidential information. The right to privacy belongs to clients and may be waived. A written waiver shall be signed by the client and the information revealed shall be in accordance with the terms of the waiver.

i) Submission of fraudulent claims for services to any person or entity including, but not limited to, health insurance companies or health service plans or third-party payors.

j) Any violation of or failure to conform to the Behavior Analyst Certification Board's (7950 Shaffer Parkway, Littleton, CO 80127) 2020 "The Ethics Code for Behavior Analysts" effective date, January 1, 2022 with no later amendments or editions, which is hereby incorporated by reference. The 2020 Ethics Code for Behavior Analysts can be found at https://www.bacb.com/wp-content/uploads/2022/01/Ethics-Code-for-Behavior-Analysts-240201-a.pdf.