

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Behavior Analyst Licensing Act is amended by changing Section 20 and 150 as follows:

(225 ILCS 6/20)

(Section scheduled to be repealed on January 1, 2028)

Sec. 20. License required; exemptions.

(a) Beginning 10 months after the adoption of the rules required under subsection (b) of Section 80 ~~30 months after the effective date of this Act~~, an individual shall not engage in the practice of applied behavior analysis unless licensed under this Act or covered by an exemption under subsection (c).

(a-5) An individual licensed under this Act as an assistant behavior analyst shall not engage in the practice of applied behavior analysis unless supervised by a licensed clinical psychologist or licensed behavior analyst.

(b) Beginning 10 months after the adoption of the rules required under subsection (b) of Section 80 ~~30 months after the effective date of this Act~~, an individual shall not use the title "licensed behavior analyst", "L.B.A.", "licensed assistant behavior analyst", "L.A.B.A.", or similar words or

letters indicating the individual is licensed as a behavior analyst or assistant behavior analyst unless the individual is actually licensed under this Act.

(c) This Act does not prohibit any of the following:

(1) Self-care by a patient or uncompensated care by a friend or family member who does not represent or hold oneself out to be a behavior analyst or assistant behavior analyst.

(2) An individual from implementing a behavior analytic treatment plan under the extended authority, direction, and supervision of a licensed behavior analyst or licensed assistant behavior analyst.

(3) A clinical psychologist, social worker, psychiatric nurse, speech-language pathologist, audiologist, professional counselor, clinical professional counselor, clinical social worker, or marriage and family therapist from performing or advertising activities that are considered to be the practice of applied behavior analysis under this Act if the activities are consistent with the laws of this State, the individual's training, and any code of ethics of the individual's respective professions, so long as the individual does not use the titles provided in subsection (b).

(4) An individual from performing activities that are considered to be the practice of applied behavior analysis

under this Act if the activities are with nonhumans, including applied animal behaviorists and animal trainers. The individual may use the title "behavior analyst" but shall not represent oneself as a licensed behavior analyst or licensed assistant behavior analyst unless the individual holds a license issued by the State.

(5) An individual who provides general applied behavior analysis services to organizations, so long as the services are for the benefit of the organizations and do not involve direct services to individuals. The individual may use the title "behavior analyst" but may not represent oneself as a licensed behavior analyst or licensed assistant behavior analyst unless the individual holds a license issued by the State.

(6) An individual who is a matriculated student at a nationally accredited university approved in rules or a postdoctoral fellow from performing activities that are considered to be the practice of applied behavior analysis under this Act if the activities are part of a defined program of study, course, practicum, internship, or postdoctoral fellowship, provided that the applied behavior analysis activities are directly supervised by a licensed behavior analyst under this Act or a licensed clinical psychologist.

(7) An individual who is not licensed under this Act from pursuing field experience in the practice of behavior

analysis if the experience is supervised by a licensed behavior analyst or a licensed psychologist.

(8) An individual with a learning behavior specialist or school support personnel endorsement from the State Board of Education, the school district in which the school is located, or a special education joint agreement serving the school district in which the school is located from delivering behavior analytic services in a school setting when employed by that school as long as those services are defined in the scope of practice for that endorsement and that person is not in any manner held out to the public as a licensed behavior analyst or licensed assistant behavior analyst.

(9) A qualified intellectual disabilities professional, meeting the minimum federal education requirements outlined in 42 CFR 483.430, who is performing the duties required for individuals with intellectual or developmental disabilities in programs and facilities regulated by the federal Centers for Medicare and Medicaid Services, the Department of Human Services, or the Department of Public Health, so long as the individual does not use the titles provided in subsection (b).

(10) A service provider, designated by the Department of Human Services, from providing behavior intervention and treatment, so long as the individual does not use the titles provided in subsection (b).

(d) This Act does not apply to an individual who, on the effective date of this Act, is engaging in the practice of applied behavior analysis under the medical assistance program under the Illinois Public Aid Code while that individual is seeking the education, training, and experience necessary to obtain a license under this Act.

(e) No licensed behavior analyst or licensed assistant behavior analyst shall engage in the practice of speech-language pathology or the practice of audiology, as defined in the Illinois Speech-Language Pathology and Audiology Practice Act, unless licensed to do so under that Act.

(Source: P.A. 102-953, eff. 5-27-22.)

(225 ILCS 6/150)

(Section scheduled to be repealed on January 1, 2028)

Sec. 150. License restrictions and limitations. Notwithstanding the exclusion in paragraph (2) of subsection (c) of Section 20 that permits an individual to implement a behavior analytic treatment plan under the extended authority, direction, and supervision of a licensed behavior analyst or licensed assistant behavior analyst, beginning 24 months after the Department has commenced issuance of licenses under this Act, no business organization shall provide, attempt to provide, or offer to provide behavior analysis services unless every member, partner, shareholder, director, officer, holder

of any other ownership interest, agent, and employee who renders applied behavior analysis services holds a currently valid license issued under this Act. No business shall be created that (i) has a stated purpose that includes behavior analysis, or (ii) practices or holds itself out as available to practice behavior analysis therapy, unless it is organized under the Professional Service Corporation Act or Professional Limited Liability Company Act. Nothing in this Act shall preclude individuals licensed under this Act from practicing directly or indirectly for a physician licensed to practice medicine in all its branches under the Medical Practice Act of 1987 or for any legal entity as provided under subsection (c) of Section 22.2 of the Medical Practice Act of 1987.

(Source: P.A. 102-953, eff. 5-27-22; 102-1118, eff. 1-18-23.)

Section 99. Effective date. This Act takes effect upon becoming law.